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HARVARD
COLLEGE
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THE
REVISED CITY CHARTER
AND THE
REVISED ORDINANCES
OF 1891
OF THE
CITY OF TAUNTON,

WITH THE

Original City Charter and Amendments thereof; the
Statutes of the Commonwealth adopted by the
City or specially relating to its municipal
affairs; the Rules and Orders of the City
Council and each branch thereof;

AND

Historical Collections concerning the City Boundaries
and its Civil List.

Published by Order of the City Council.



TAUNTON:
C. A. HACK & SON, PRINTERS
1892

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PREFACE.

The first revision of the ordinances of the city of Taunton, made in 1882, brought for the first time into uniform and definite shape what from time to time had been ordained as by-laws since the first municipal organization of Taunton as a city.

The need of a new codification of the ordinances, by reason of various additions and amendments made since that revision, the public call for still further amendments to meet the advancing requirements in municipal affairs, together with the necessity of a new edition of the city book on account of the entire exhaustion of former editions, could be met only by a full and complete revision.

The City Council, in view of this public demand, in January, 1891, passed the following order :

CITY OF TAUNTON, }
Jan. 20th, 1891. }

IN BOARD OF ALDERMEN :

Ordered, that a special committee be appointed to consist of two aldermen and three members of the Common Council, with authority to employ such assistance as may be necessary, who shall prepare a revision and consolidation of the various city ordinances and rules and orders, and that said committee cause the same, together with the City Charter and such general and special laws as relate to municipal affairs, and such other matter as they deem expedient, to be printed in a neat and convenient form ; the expense thereof to be charged to the appropriation for incidentals ; and that said committee be requested to report to the City Council any changes in the ordinances that they deem expedient to be made.

Adopted, EDWIN A. TETLOW, Clerk.

IN COMMON COUNCIL, Feb. 3d, 1891. Adopted in concurrence,

J. R. TALLMAN, Clerk.

Feb. 5th, 1891. Approved by the Mayor.

Under this order Aldermen Willis K. Hodgman and Edgar L. Crossman, Councilmen Edwin A. Dary, Ebenezer A. Dean and John L. Thomas, were appointed a special committee and forthwith engaged in the service required by its terms. As authorized by the order the committee employed Charles A. Reed, Esq., and Edwin A. Tetlow, Esq., and with their constant coöperation after much thorough investigation, involving inquiry into and conference with every department of the city, the whole body of the existing ordinances was entirely revised ; many chapters were re-drafted and new matters were introduced, and a report was made by the committee to the City Council, December, 1891. With slight amendments the ordinances thus revised and submitted to the City Council were passed to be ordained and were duly approved December 31st, 1891, under the designation of "The Revised Ordinances of 1891."

The completion of the work thus successfully begun, including the preparation of all materials for the publication of the book of ordinances and all statutes especially appertaining to municipal affairs and the printing of the same, was further directed early in the current year by the following order of the City Council :

CITY OF TAUNTON, }
Jan. 7th, 1892. }

IN BOARD OF ALDERMEN :

Ordered, that a special committee of two aldermen and three councilmen be appointed to complete the work intrusted to a committee of last year's City Council in revising the ordinances, etc., the work called for in the order authorizing last year's committee, except such work as said committee completed shall be performed by the committee hereby authorized. Said committee is hereby authorized to employ some suitable persons to assist them, if needed; the expense to be charged to the appropriation for incidentals.

Said committee shall report the result of its work before the same is printed for public distribution.

IN COMMON COUNCIL, Jan 14th, 1892. Adopted in concurrence,

J. R. TALLMAN, Clerk.

Jan. 23d, 1892. Approved, FRANCIS S. BABBITT, Mayor.

Under this order Aldermen Willis K. Hodgman and Edgar L. Crossman, Councilmen Edwin A. Dary, Ebenezer A. Dean and George A. Washburn, were appointed a special committee, and with the service of the same persons who so efficiently aided in the revision of the ordinances the work of preparing for publication has been carried forward to completion.

The committee, finding it impracticable to introduce into the ordinance book all the statutes of the Commonwealth appertaining to municipal affairs as was undertaken in the edition of 1882, have accepted only those statutes, including the original charter, as showing the first institution of the city government in this municipality and the Revised Charter of 1882 now in force, which, as special laws, have particular reference to Taunton and such statutes as are in force by virtue of their adoption by the city.

They have added as of practical importance the present city boundaries as fixed by the perambulations required by law, and have given as matter of historical interest the details of the original bounds of "Cohannet" and the outlines of the various towns which have been incorporated from the original domain of the ancient town after its different enlargements, and they have appended the civil list extending to the present date from the earliest times as far as it can be ascertained.

The preparation of this revision on account of the introduction of new matter and the complete recasting of the original notes and indexes has involved much time and labor and it is offered to the public with confidence that it will fully subserve the purposes for which it was undertaken.

WILLIS K. HODGMAN,
EDGAR L. CROSSMAN,
EDWIN A. DARY,
EBENEZER A. DEAN,
GEORGE A. WASHBURN.

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ORIGINAL CITY CHARTER

CHAPTER 209, ACTS OF 1864.

COMMONWEALTH OF MASSACHUSETTS.

IN THE YEAR
ONE THOUSAND EIGHT HUNDRED AND SIXTY-FOUR.

AN ACT TO ESTABLISH THE CITY OF TAUNTON.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES IN GENERAL COURT ASSEMBLED, AND BY AUTHORITY OF THE SAME, AS FOLLOWS:—

SECTION. 1. The inhabitants of the town of Taunton, shall continue to be a body politic and corporate, under the name of the City of Taunton, and as such, shall have, exercise and enjoy, all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon, and appertaining to said town, as a municipal corporation.

Corporate powers and name.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal officer to be styled the mayor, one council of eight to be called the board of aldermen, and one council of twenty-four to be called the common council, said boards, in their joint capacity to be the city council. The members of said boards shall be sworn to the faithful discharge of their respective duties. A majority of each board shall make a quorum.

City Council.

Board of Aldermen.

Common Council.

Quorum.

SECT. 3. It shall be the duty of the selectmen of said town, as soon as may be after the passage of this act, and its acceptance as is herein provided, to divide said town into eight wards, to contain as nearly as conveniently may be, an equal number of legal voters, which division may be revised by the city council within one year from the passage hereof. The city council shall once in five years and not oftener, alter, if needful, the boundaries of said wards, in such manner, however, as to preserve an equal number of voters in each ward.

Division into eight wards.

Change in boundaries.

Ward Officers. **SECT. 4.** On the first Monday in December annually, there shall be chosen by ballot in each of said wards, a warden, clerk, and three inspectors of elections, who shall be different persons, residents in the ward, who shall hold their offices one year and until others are chosen and qualified in their stead.

Election of Said wardens shall preside at all ward meetings, with the power of moderators of town meetings; and if, at any meeting the warden is not present, the clerk shall preside until a warden *pro tempore* is chosen by ballot; if both the warden and clerk are absent the senior in age of the inspectors present shall preside until a warden *pro tempore* is thus chosen; and if all said officers are absent, any legal voter in said ward may preside until a warden *pro tempore* is so chosen. When any ward officer is absent or neglects to perform his duty, his office shall be filled *pro tempore*.

Duties of Wardens. The clerk shall record all the proceedings and certify the votes, and deliver to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The inspectors shall assist the warden in receiving, assorting and counting the votes.

Duties of Inspectors of elections. All said officers shall be sworn to the faithful discharge of their duties; said oath to be administered by the clerk to the warden, and by the warden to the clerk and the inspectors, or to either of said officers by any justice of the peace for Bristol county; certificate of such oaths shall be made by the clerk upon the ward records.

Oaths of Ward Officers. All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meeting, shall be issued by the mayor and aldermen and shall be in such form, and served and returned in such manner and at such times as the city council shall direct.

Warrants for Meetings. **SECT. 5.** The mayor shall be elected by the qualified voters of the city at large, voting in their respective wards; and one alderman, three common councilmen (and one assessor), shall be elected from, and by the voters of each ward. Said officers shall be chosen by ballot, and hold their offices for one year from the first Monday of January, and until others are chosen and qualified in their stead.

Election of City Officers at ward meetings. At the first annual election under this act, there shall be chosen, in the manner provided for the election of mayor, a board of school committee, consisting of nine, one-third of whom shall be chosen for one year, one-third for two years, and one-third for three years.

(Repealed.) see Amendment. At each annual election thereafter, three members of said board shall be chosen, in the manner provided for the election of mayor, for the term of three years. Vacancies in the board shall be filled in the manner provided by law for filling vacancies in the school committees of cities.

Election of School Committee. **SECT. 6.** On the first Monday of December annually, the qualified voters in each ward shall give in their votes for mayor, aldermen, common councilmen, school committee (and assessors), as provided in the preceding section; and all the

Vacancies how filled.

Proceedings at municipal Elections.

votes so given shall be assorted, counted and declared, and registered, in open ward meeting, the name of each person voted for, and the number of votes given for each, to be recorded in words at length. (Repealed) see amendment.

The clerk of the ward, within twenty-four hours after such election, shall deliver to the persons elected aldermen, common councilmen, and assessors, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors, and shall deliver to the city clerk a copy of the record of such elections certified in like manner. Such persons as receive the greatest number of votes for their respective offices shall be declared elected. If no person is elected because two or more have received the same number of votes for any of said offices, except for mayor, another ballot may then be had or the meeting may be adjourned from time to time until some person is elected. Certificates of Election. Meeting may be adjourned.

The board of aldermen shall, as soon as may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who has received the greatest number of votes for mayor; and the persons who have received the greatest number of votes for school committee, respectively, to be notified in writing of their election; but if no person is so elected, or if any person refuses to accept, the board shall issue their warrants for a new election, and the same proceedings as before provided, shall thereupon be had until such officers are chosen. Examination of record of votes for Mayor and School Committee. Notice of Election. Failure to elect

If a mayor dies or resigns, or is unable to perform the duties of his office, the boards of aldermen and common council shall respectively, by vote, declare that a vacancy exists, and the cause thereof; whereupon the two boards shall meet in convention, and elect a mayor to fill the vacancy, who shall hold the office until the inability aforesaid is removed, or until a new election. The oath shall be administered to the mayor by the city clerk, or any justice of the peace for Bristol county. Vacancy in Mayor's office.

The aldermen and common councilmen elect shall on the first Monday of January, at ten o'clock in the forenoon, meet in convention, when the mayor shall administer the oath to the members of said boards, or in the mayor's absence, said oath may be administered by any justice of the peace for Bristol county, a certificate whereof shall be entered on the journals of said boards by their respective clerks. The boards shall then separate, and the common council shall choose one of their number for president, and shall also choose a clerk, who shall be sworn to the faithful discharge of their duties. If the mayor be absent, the board of aldermen may choose a chairman, who shall also preside at joint meetings of the two boards. Oath of office. Convention of the two branches of City Govt. Oath administered. Organization of Common Council. Organization of Aldermen.

Each board shall keep a record of its proceedings, and judge of the election of its members. In case of failure of election, Record of proceedings.

Vacancy in
either board.

Overseers of
the poor.

Powers and du-
ties of Mayor.

(Repealed) see
amendment.

or if a vacancy is declared by either board, or if a vacancy exists in the board of assessors, the mayor and aldermen shall order a new election. The mayor and aldermen shall constitute the board of overseers of the poor.

SECT. 7. The mayor shall be the chief executive officer of the city; (he shall also be, *ex-officio*, a member of the board of assessors.)* He shall be vigilant to cause the laws and regulations of the city to be enforced; he shall exercise a general supervision over the conduct of all subordinate officers, and shall cause neglect of duty to be punished. He may call special meetings of the aldermen and common council, or either of them, by causing written notices thereof to be left at the places of residence of the several members. He shall communicate such information and recommend such measures as he thinks proper. He shall preside in the board of aldermen, and in convention of the two boards, but shall have a casting vote only.

Executive
Powers of
Mayor and Al-
dermen.

SECT. 8. The executive power of said city, generally, and the administration of the police, with all the powers heretofore vested in the selectmen of the Town of Taunton shall be vested in and exercised by the mayor and aldermen, as fully as if the same were herein specially enumerated.

City Marshal.
Constables and
Police.

(See amend-
ment to char-
ter.)

Other powers
of Mayor, Al-
dermen and
Common Coun-
cil.

The mayor and aldermen shall have exclusive power to appoint constables, and a city marshal or chief of police and assistants, with the powers and duties of constables, and all other police officers, and to remove the same when cause exists therefor. All powers now vested in the inhabitants of said town, and all powers granted to them in this act, shall be vested in the mayor and aldermen and common council, except so far as different provisions are herein made, to be exercised by concurrent vote, each board to have a negative upon the other.

Election of
Subordinate
City Officers.

The city council shall annually, as soon as may be after their organization, elect by joint ballot, a city treasurer, collector of taxes, city clerk, and all other necessary subordinate city officers, not herein otherwise provided for, for the ensuing year. The city council shall by by-law, fix the compensation of said officers, and shall define their duties, so far as the same are not determined by the laws of the Commonwealth. The city council may fill a vacancy existing in any such office. The sessions of the boards aforesaid, shall be public when they are not engaged in executive business.

Salaries and
duties fixed.

Sessions Pub-
lic.

Specific duties
of City Council.

Accountability
for public
money and
property.

The city council shall see that money is not paid from the city treasury unless granted or appropriated; shall secure a just and prompt accountability by requiring bonds with sufficient penalties and sureties, from all persons intrusted with the receipt, custody or disbursement of money, and also from such other officers as they may think fit; they shall have

* President of Common Council a member of the Board of School Committee. Stat. 1869, ch. 347.

* Mayor *ex-officio*, Chairman of Board of School Committee. Stat. 1869, ch. 347.

the care and superintendence of the city buildings, and the control and management of all city property, with power to let or sell what may be legally let or sold. They may purchase property, real and personal, in the name and for the use of the city when it is expedient to do so. The city council shall publish annually, a particular account of the city receipts and expenditures, and a schedule of the city property and debts. They shall also fix the annual salary of the mayor.

Account of receipts and expenditures to be published annually.

Salary of Mayor.

SECT. 9. No alderman or common councilman shall be appointed or elected by the city council to any office, the salary of which is paid by the city.

Officers ineligible.

SECT. 10. The city clerk shall also be clerk of the board of aldermen and shall be sworn to the faithful discharge of his duties. He shall perform such duties as are prescribed by the board of aldermen and such as are incumbent upon the town clerk of said town, and shall have the powers vested in such town clerk. He may be removed by the city council.

Duties of City Clerk.

Removal of.

SECT. 11. The assessors chosen as aforesaid shall exercise the same powers, and be subject to the same duties and liabilities as town assessors exercise and are subject to, under the laws of the Commonwealth. They shall be sworn to the faithful discharge of their duties. The city council may establish further or additional provisions for the collection of taxes.

Duties of Assessors.

To be sworn.

SECT. 12. The list of jurors shall be prepared by the mayor and aldermen, in the manner now required of selectmen, and the list shall be submitted to the common council, for concurrent action or amendment. The mayor, aldermen and city clerk, shall have the powers in regard to drawing jurors, and other matters relating to them, now vested in selectmen and town clerks. Venires for jurors to be returned from said city, shall be served on the mayor and aldermen.

Jurors, list of to be prepared.

Drawing of Jurors.

Service of Venires.

SECT. 13. The mayor and aldermen, with the concurrent vote of the common council, may lay out, alter or discontinue, streets and town ways, fix the grades thereof, and estimate the damages sustained by parties thereby; parties aggrieved by such action to have the same right of application and complaint to the county commissioners that they now have when dissatisfied with the action of selectmen.

Laying out and discontinuing Streets.

Estimating damages.

Right of appeal from the same.

SECT. 14. The mayor and aldermen, with the concurrence of the common council, may lay drains and common sewers through streets or private lands, paying the owners such damages as they sustain thereby. They may require any person opening a drain into such common drain or sewer, to pay a reasonable sum for that privilege.

Drains and Sewers.

SECT. 15. The mayor and aldermen shall each year issue their warrants for calling meetings for the election of the whole number of representatives to the general court, to which the said city is by law entitled, such number to be specified in such warrants.

Election of Representatives to the General Court.

Election of
County, State
and U. S. offi-
cers.

Voters to be
registered in
Ward Meet-
ings.

Copy of record
to be delivered
to City Clerk.

Examination
of votes by
Mayor and Al-
dermen.

Representa-
tives, failure to
elect.

Voting lists to
be prepared.

None to vote
unless name is
on the list.

General Meet-
ings.

By-laws.

To be signed
by the Mayor.

Fines to be
paid to City
Treasurer.

SECT. 16. All elections of county, state, and United States officers, who are chosen by the people, shall be held at meetings of citizens qualified to vote in such elections in their respective wards at the time prescribed by law; the votes given for such officers shall be received, assorted, counted, declared and registered, in open ward meetings as is herein provided in reference to city officers. The ward clerk shall forthwith deliver to the city clerk a certified copy of the record so made. The city clerk shall forthwith record such returns.

The mayor and aldermen shall, within two days after such elections, examine and compare the same, and make out a certificate of the result, to be signed by the mayor, a majority of the aldermen, and the city clerk, and shall transmit the same in the manner in which selectmen are required to do. If the whole number of representatives to the general court are not elected, the mayor and aldermen shall issue their warrants for such election, conformably to the constitution and laws.

SECT. 17. Lists of voters in each ward shall be prepared by the mayor and aldermen, as is required of the selectmen of towns. For this purpose they shall have access to the assessors' books and lists, and be entitled to the assistance of all the city officers. Said lists shall be delivered to the clerks of the wards, to be used at elections, and copies of the list for each ward shall be posted in three public places in said ward at least seven days before such elections. No person shall be entitled to vote in a ward whose name is not borne upon the list for that ward: *provided*, that any person whose name is not thereon may have his name entered thereupon, at any time before the closing of the polls in such ward, upon presenting to the ward officers present a certificate signed by the mayor or city clerk, setting forth his right to have his name thus entered.

SECT. 18. General meetings of the citizens qualified to vote may be held according to the right secured to the people by the constitution of the Commonwealth. Such meetings shall be called by the mayor and aldermen on the petition of fifty qualified voters.

SECT. 19. The city council shall make by-laws with suitable penalties, for the inspection, survey, measurement, weighing and sale of lumber, wood, coal and bark, brought into or exposed in the city for sale, and all such other by-laws as towns may make and establish; but no penalty for a breach thereof shall exceed twenty dollars. Such by-laws shall not require the sanction of any court. Such by-laws shall be presented to the mayor for his approval; if he approve he shall sign them, if not he shall return them to either branch of the city council, with his objections; if they are again passed by two-thirds of each board present and voting thereon, the same shall become a law, otherwise not. All fines and forfeitures for the breach of any by-law or ordinance shall be paid into the city treasury.

SECT. 20. All fines, forfeitures and penalties, accruing for the breach of any by-law of said city, or of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for, and recovered before the municipal court of said city, in the manner in which fines, forfeitures and penalties, are now by law prosecuted for and recovered; reserving, however, to the party prosecuted, the right of appeal to the superior court. If any person refuses to pay such a fine imposed upon him, or refuses to recognize with sureties to prosecute his appeal, the same proceedings shall be had as under like circumstances in any criminal prosecution.

Penalties for breach of By-Laws.

Complaints.

SECT. 21. A court to be called the municipal court of Taunton is hereby established in said city. Said court shall have the jurisdiction heretofore exercised and possessed by the police court of Taunton, and by any justice of the peace in Bristol county; and also in civil causes its jurisdiction shall extend to cases when the *ad damnum* stated in the writ does not exceed two hundred dollars, and in criminal causes, to any offence which is not a felony. Said court shall consist of one able and honest man, to be appointed by the governor as principal justice, one such man to be appointed in like manner, as associate justice, and one clerk, who shall hold his office five years from the time of his election and qualification. Said clerk shall be chosen by the legal voters of said city in the manner and at the time they first elect city officers under this charter. The clerk of said court shall be elected every fifth year thereafter, at the municipal election in said city.

Municipal Court, established.

Justice and two Associates.

Clerk to be elected.

At any time after this act is accepted, as herein provided, the governor may appoint the justices of said court; but this section, except as to the choosing of said clerk, and the making of said appointments, shall not take effect until the first Wednesday of January next. The principal justice of said court shall have the powers conferred by the laws of the Commonwealth upon justices of police courts. He shall be paid an annual salary, from the treasury of the Commonwealth, of one thousand dollars. The clerk shall receive from the same source, an annual salary of six hundred dollars. The associate justice, who shall officiate only in case of the absence or other inability or disability of the principal justice, shall receive from him three dollars for each day on which he holds a session of said court.

Appointment of Justices.

Salary of Judge, Associates and Clerk.

All the provisions of the laws of this Commonwealth, relating to police courts, their justices and clerks, shall apply to the court herein created, except so far as they are inconsistent with the provisions hereof.

Powers of Court.

SECT. 22. For the purpose of organizing the system of government hereby established, and putting the same into operation, the selectmen of the town of Taunton shall, after

First organization of Government.

Stat. 1874, Chap. 293, established District Courts in Bristol County and Sect. 18 and 19 abolished the Municipal Court of Taunton and transferred its jurisdiction to the First District Court of Bristol, and thus repealed Sect. 21 of the Charter.

the acceptance of this act, and at least seven days before the first Monday of December next issue their warrants, calling meetings of the legal voters on that day, in the different wards, at some place in each, to be designated in said warrants, for the purpose of choosing a warden, clerk and inspectors, for each ward, and all other officers whose election in such manner is provided for in this act; and the transcripts of the record of each ward specifying the votes given therein for the several officers aforesaid, certified by the warden and the clerk of each ward, shall be returned to the said selectmen, who shall examine and compare the same; and if said elections are not completed at the first meeting they shall then issue new warrants until such elections are completed. They shall give notice to the persons elected, in the manner herein before provided.

Same subject. At said first meetings any inhabitant, being a legal voter in the ward, may call the meeting to order and preside until a warden is chosen. A list of voters in each ward, prepared and corrected by the selectmen, as herein before provided, shall be delivered to some legal voter therein and shall be used in such election. The city council shall meet and the city government be organized on the first Monday of January next, at some place to be designated by the selectmen.¹ Immediately after their organization, the city council shall elect all necessary city officers, who shall hold their offices, respectively, until others are chosen and qualified in their stead, unless sooner removed.

Duties of former town officers. Custody of papers. **SECT. 23.** All officers of the town of Taunton having the care and custody of any records, papers or muniments of property, belonging to the said town, shall deliver the same to the city clerk, within one week after his entering upon the duties of his office. The treasurer and collector of the town of Taunton shall pay over to the city treasurer, within one week after he enters upon the duties of his office, all money in his custody or control, belonging to said town; and any money subsequently collected by said collector, shall be paid to said city treasurer. All town officers of Taunton shall hold their respective offices until officers are chosen and qualified in their stead.

Act to be submitted to the inhabitants. **SECT. 24.** This act shall be void unless a majority of the legal voters of the town of Taunton, present and voting at any legal town meeting called for that purpose shall, within three months from the passage of this act, vote to accept the same; the voting of such meeting to be by ballot, written or

¹ The first act of the Legislature of Massachusetts, establishing the City of Taunton, was passed March 31, 1860, but was rejected by the inhabitants thereof April 30, 1860. (See Town Records No. 9, p. 189). The second act was passed May 11, 1864, and adopted June 6, 1864. (See Town Records No. 10, p. 107). The first amendment was accepted by the City Council Feb. 21, 1866. The second amendment was accepted July 21, 1869.

The first organization of the City Government took place at Central Hall, January 2, 1865.

printed, yea or nay. The voting list shall be used as at elections of State officers; the selectmen shall preside at any such meetings.

SECT. 25. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal of certain Acts.

SECT. 26. This act shall take effect, except as is otherwise provided, upon its passage. Act to take effect.
Approved May 11, 1864.
Adopted June 6, 1864.

AMENDMENTS

TO THE

ORIGINAL CITY CHARTER

CHAPTER 45, ACTS OF 1866.

FIRST AMENDMENT.

Section.

1. Fire Department organized.
2. Powers and duties of engineers.
3. City Council to make regulations concerning fires.
4. Property of the Department.
5. Powers, how carried out.
6. Relief of disabled Firemen.

Section.

7. Assessors, how chosen, term of office. Asst. Assessors. Mayor, not to be a member of the Board.
8. Mayor to nominate the Police, and Board of Aldermen to appoint.
9. Acts repealed.
10. This act, when to take effect.

Fire Department authorized.

SECTION 1. The city council of the city of Taunton is hereby authorized to establish a fire department for said city. Said council may, by ordinance, determine of what officers and members said department shall consist, prescribe the time and mode of their appointment and removal, define their powers, duties and period of service, fix their compensation, and make such other regulations regarding their conduct and government as they deem expedient.

Engineers.

SECT. 2. The engineers, or other officers of the department, appointed as aforesaid, shall have all the powers and authority conferred upon fire wards by the General Statutes.

Regulations, how made.

SECT. 3. The city council of said city may, by ordinance, make regulations concerning the management of fires, the conduct of all persons attending or present thereat, the removal and protection of property, the examination of any building or place where combustible materials or substances are supposed to be kept or deposited, the removal of such materials and substances, and the adoption of other suitable safeguards against fires, and the loss or destruction of property thereat.

Property of Department.

SECT. 4. Said city may procure and hold such land, buildings, furniture, engines and other apparatus, as may be necessary for the purposes of the fire department; and the city council may, by ordinance, make regulations regarding the use, control and preservation thereof.

Powers, how carried out.

SECT. 5. The powers and duties mentioned in the preceding sections, or any of them, may be exercised and carried into effect by the said city council, in any manner in which they may prescribe, and through the agency of any persons,

or any board or boards, to whom they may delegate the same. Suitable penalties may be affixed to the violation of the regulations made under the authority of this act, not exceeding twenty dollars for any one breach thereof.

SECT. 6. Said city is hereby authorized to expend a sum not exceeding five hundred dollars annually, under the direction of the city council, for the relief of such firemen as are disabled in the service of said city, and for the relief of the families of such firemen as are killed in the performance of their duties. Relief of disabled Firemen.

SECT. 7. The assessors of said city shall, after the present year, consist of three persons, elected by the city council by concurrent vote. As soon as may be after the first Monday in January, in the year eighteen hundred and sixty-seven, one assessor shall be so elected for the term of one year, one for the term of two years, and one for the term of three years from said first Monday, and until their successors respectively are chosen. In each succeeding year one assessor shall be so elected for the term of three years. The city council may in like manner fill any vacancy occurring in said board; may elect such assistants, and provide such clerical aid as they deem necessary, and define the duties and fix the compensation of all of said officers. The mayor of said city shall not, after the present year, be *ex-officio*, a member of the board of assessors. Assessors, how chosen.
Term of Office.
Vacancy, how filled.
Assistants may be chosen.
The Mayor not to be a member.

SECT. 8. No person shall be appointed city marshal, assistant marshal, constable, or to any other office in the police department of said city, unless nominated to said office by the mayor. Police how nominated and appointed.

SECT. 9. So much of the act to which this act is in addition as is inconsistent herewith, is hereby repealed. Acts repealed.

SECT. 10. This act shall take effect whenever the same is adopted by the city council of said city by concurrent vote; and unless so adopted within six months after its passage, the same shall be void. [*Approved Feb. 20, 1866. Adopted by City Council, Feb. 21, 1866.*] To be adopted by City Council.

CHAPTER 347, ACTS OF 1869.

SECOND AMENDMENT.

Section.

1. Mayor and President of Common Council, members of School Committee.

Section.

2. This Act, when to take effect.

AN ACT concerning the School Committee of the City of Taunton.

Mayor and
President of
Common
Council, mem-
bers of School
Committee.

SECT. 1. The mayor and the president of the common council of the City of Taunton shall be *ex-officiis* members of the board of school committee of said city, and the mayor shall be chairman of said board; with the same powers and duties as if severally elected to said offices by vote in accordance with law.

SECT. 2. This act shall take effect when accepted by the city council of said city; *provided*, such acceptance be within three months after its passage. [*Approved June 2, 1869. Accepted by the City Council, July 21, 1869.*]

CITY OF TAUNTON.

REVISED CITY CHARTER.

Section.

1. Corporate name and general powers.
2. Government vested in Mayor and City Council. To be sworn. A quorum.
3. Division into Wards. Powers of City Council to alter boundaries.
4. Election of Ward Officers. Officers *pro tem*. Oath of Ward Officers. Warrants for Meetings.
5. Election of Mayor, Aldermen, Councilmen, and commencement of term of office. Election of School Committee. Term of office. Vacancies: how filled.
6. Mode of conducting Municipal Elections. Certificates of Election to be delivered. Proceedings in case of failure to elect. Examination of returns of votes for Mayor and School Committee. Notice of Election. Vacancy in Mayor's office: how filled. City Government: annual organization. To be qualified. Vacancy in either board. Chairman of Aldermen to be elected.
7. Powers and duties of Mayor. Special meetings: how called.
8. Nominations to be made by the Mayor and confirmed by the Aldermen.
9. Executive powers vested in Mayor and Aldermen. Election of City Treasurer, Clerk, etc. Vacancies and removals. General duties of City Council. Annual receipts and expenditures to be published.

Section.

10. Members of City Council not to hold salaried city offices.
11. City Clerk's duties. When absent, office how filled.
12. Election and duties of Assessors and assistants. Collection of taxes.
13. Election of Overseers of Poor and organization of the board.
14. Board of Health: how appointed. Of whom to consist. Powers and duties.
15. Fire Department. City Council to make regulations concerning. Relief for disabled firemen.
16. Laying out of Streets. Remedy of parties aggrieved thereby.
17. Drains and Common Sewers.
18. Warrants to be issued for election of Representatives to General Court.
19. Election of National, State and County Officers. Examination of returns of votes, and certificates of results to be signed.
20. Voting lists to be prepared and posted prior to election.
21. General meetings of citizens may be held.
22. By-laws made by City Council to be approved by the Mayor. All fines and forfeitures for breach thereof to be paid into the City Treasury.
23. Fines and forfeitures to be prosecuted for before the District Court.
24. This act void unless accepted within three months.

SECTION 1. The inhabitants of the City of Taunton, for all purposes for which towns and cities are by law incorporated in this Commonwealth, shall continue to be a body politic and corporate under the name and style of the City of Taunton, and as such have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon and appertaining to said city as a municipal corporation.

Corporate
name and gen-
eral powers.

SECT. 2. The administration of all the fiscal, *prudential* and *municipal* affairs of said city, with the government thereof, shall be vested in a mayor, one council of eight to be called the board of aldermen, and one council of twenty-four to be called the common council; which boards, in their joint capacity, shall be called the city council; and the members thereof shall be sworn to the faithful discharge of their duties. A majority of each board shall constitute a quorum for business.

Government
vested in
Mayor and
City Council.

To be divided
into eight
wards.

Boundaries
may be
changed.

Election of
Ward Officers.

Ward Officers
to be sworn.

Warrants for
meetings.

Mayor to be
elected at large

One Alderman
and three
Councilmen
from each
ward.

SECT. 3. The City of Taunton shall continue to be divided as heretofore into eight wards. The city council may, at any time before the year eighteen hundred and eighty-five, and not oftener than once in five years thereafter, alter, if needful, the boundaries of the wards so as to preserve, as nearly as may be consistent with well-defined limits to each ward, an equal number of voters in each ward; and until such alteration shall be made the boundary lines of the wards of said city shall remain as now established.

SECT. 4. On Tuesday after the first Monday in December in each year, there shall be chosen by ballot in each of said wards, a warden, clerk and three inspectors of elections, who shall be different persons, residents in the ward, who shall hold their offices one year and until others are chosen and qualified in their stead. Said wardens shall preside at all ward meetings, with the powers of moderators of town meetings; and if at any meeting the warden is not present, the clerk shall preside until a warden *pro tempore* is chosen by ballot; if both the warden and clerk are absent, the senior in age of the inspectors present shall preside until a warden *pro tempore* is thus chosen; and if all said officers are absent, any legal voter in said ward may preside until a warden *pro tempore* is so chosen. When any ward officer is absent, or neglects to perform his duty, his office shall be filled *pro tempore*, by the voters present. The clerk shall record all the proceedings of such meetings and certify the votes cast and deliver to his successor in office all records, journals, documents and papers held by him in his official capacity. The inspectors shall assist the warden in receiving, assorting and counting the votes. All said officers shall be sworn to the faithful discharge of their duties. The oath of office shall be administered by the clerk to the warden, and by the warden to the clerk and to the inspectors, or to either of said officers by any justice of the peace; certificate of such oaths shall be made by the clerk upon the ward records. The election of municipal officers shall take place on Tuesday next after the first Monday of December annually, and the municipal year shall begin on the first Monday of January following. All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meeting, shall be issued by the mayor and aldermen, and shall be in such form and served and returned in such manner and at such times as the city council shall by ordinance direct.

SECT. 5. The mayor shall be elected by the qualified voters of the city at large, voting in their respective wards. He shall be a qualified voter of the city, and shall hold his office for the municipal year next following his election, and until another shall have been elected and qualified in his place. One alderman and three common councilmen shall be elected by and from the voters of each ward, and shall at the

time of their election be residents of the wards respectively in which they are elected; they shall hold their offices for the municipal year next following their election and until a majority of the new boards respectively shall be elected and qualified in their places. The board of school committee shall consist of eleven persons; three members shall be chosen at each annual election, in the manner provided for the election of mayor, for the term of three years. The mayor and president of the common council shall be *ex-officio* members of the board of school committee, with the same powers and duties as if severally elected thereto; and the mayor shall be chairman of said board. The persons heretofore elected as members of said board shall continue in office according to the tenure thereof. The board of school committee shall be the final judge of the qualification and election of its own members, and shall have all the powers vested in school committees by the laws of the Commonwealth. A majority of the members of said board shall constitute a quorum for the transaction of business. Any vacancy occurring in said board may be filled, for the remainder of the municipal year, by the joint ballot of the aldermen and school committee, and for the unexpired term thereafter shall be filled at the first municipal election after such vacancy occurs.

School Com-
mittee.

III /

Vacancies.
P. S. chap. 44,
sec. 22.

SECT. 6. On Tuesday after the first Monday of December in each year when the qualified voters in each ward shall give in their votes for mayor, aldermen, common councilmen, school committee and ward officers, as herein before provided, all the votes so given in shall be assorted, counted, declared and registered in open ward meeting, and the name of each person voted for and the number of votes given for each person shall be recorded in words at length. The clerk of the ward, within twenty-four hours after such election, shall cause to be delivered to each person elected as alderman and common councilman a certificate of his election, signed by the warden and clerk and a majority of the inspectors, and shall deliver to the city clerk a copy of the record of such elections certified in like manner; *provided*, that in all cases the persons receiving the greatest number of votes for their respective offices shall be declared to be elected. If two or more persons have received the same number of votes for any of said offices, the meeting may be adjourned from time to time until some person is elected. The board of aldermen shall, as soon as may be and in the manner provided by law, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who has received the greatest number of votes for mayor, and the persons who have received the greatest number of votes for school committee, respectively, to be notified in writing of their election; but if there shall appear to be a failure so to elect in any case, or if a person so elected shall refuse to accept his office, the board of aldermen shall issue their warrants for a

Annual elec-
tion of officers.

Certificates of
election.

Vacancy in the
office of mayor.

Organization
of the govern-
ment.

Chairman of
the Board of
Aldermen to be
elected.

Each board to
keep a record.

Mayor to be
chief executive
officer.

new election, and the same proceedings as herein before provided shall thereupon be had and repeated until such officers shall be elected. In case of the decease or resignation of the mayor, or of his inability to perform the duties of his office, the board of aldermen and the common council shall respectively, by vote, declare that a vacancy exists, and the cause thereof; whereupon the two boards shall meet in convention and elect a mayor to fill such vacancy; and the mayor thus elected shall hold the office until the inability aforesaid is removed, or until a new election, which may be ordered by the board of aldermen. The oath of office shall be administered to the mayor by the city clerk or any justice of the peace. The aldermen and common councilmen elect shall, on the first Monday of January in each year at ten o'clock in the forenoon, meet in convention, when the oath shall be administered to them by the mayor or city clerk, a certificate whereof shall be entered on the journals of said boards by their respective clerks. The boards shall then separate and the common council shall be organized by the choice of one of their number as president, and also of a clerk, not one of their number, both of whom shall be sworn to the faithful discharge of their duties. In case of the absence of the mayor elect on the first Monday of January, or if the mayor shall not then have been chosen, the city government shall be organized in the manner herein before provided, and may proceed to business in the same manner as if the mayor was present; and the oath of office, at any time thereafter in convention of the two branches, may be administered to the mayor and any member of the city council who may have been absent at the organization. The board of aldermen shall elect one of their number to preside at all meetings of the board when the mayor does not preside, who shall be called the chairman of the board of aldermen, and who shall hold office during the municipal year for which he is elected. In the absence of both the mayor and chairman of the board of aldermen, the aldermen shall elect one of their members as chairman for the time being. In the absence of the mayor, the chairman of the board of aldermen shall preside at all conventions of the city council. Each board shall keep a record of its own proceedings, and judge of the election of its own members; but in case of the failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

SECT. 7. The mayor shall be the chief executive officer of the city; he shall be vigilant in causing the laws and regulations of the city to be enforced; he shall exercise a general supervision over the conduct of all subordinate officers, and shall cause their neglect of duty to be punished. He may call special meetings of the boards of aldermen and common council, or either of them when he deems it necessary, by

causing written notices thereof to be left at the places of residence of the several members. He shall from time to time communicate such information and recommend such measures as in his opinion the interests of the city may require. He shall preside in the board of aldermen, and in convention of the two boards.

SECT. 8. In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have exclusive power of nomination, being subject however to confirmation or rejection by the board of aldermen; but if a person so nominated shall fail of confirmation it shall be the duty of the mayor to make another nomination within one month from the time of such rejection or failure to confirm.

Mayor to nominate, subject to confirmation by aldermen.

SECT. 9. The executive power of said city *generally*, and the *administration of the police*, with all the powers formerly vested in the selectmen of the town of Taunton, and heretofore vested in the *mayor* and aldermen of the city of Taunton, shall continue to be vested in and exercised by *the mayor* and aldermen of said city, as fully as if the same were herein specially enumerated. The *mayor* and aldermen shall have full exclusive power to appoint constables, and a city marshal or chief of police and assistants, with the powers and duties of constables, and all other police officers, and to remove the same when cause exists therefor. All other powers now vested in the inhabitants of said city, and all powers granted to them by this act, shall be vested in *the mayor* and aldermen and common council, except so far as different provisions are herein made, to be exercised by *concurrent* vote, each board to have a negative upon the other. The city council shall annually, as soon as may be after organization, elect by joint ballot a city treasurer, collector of taxes, city clerk, city solicitor, superintendent of streets [and city physician], for the ensuing year, who shall hold their respective offices until others are elected and qualified in their stead, and the city council shall, in such manner as may be determined by ordinance, appoint or elect all other subordinate officers not herein otherwise provided for, define their duties, and fix the compensation of all officers and subordinate officers so far as the same are not determined by the laws of the Commonwealth. The city council may fill a vacancy existing in any such office, and may remove any of said officers for cause. The sessions of the boards aforesaid shall be public when they are not engaged in executive business. The city council shall see that no money is paid from the city treasury unless granted or appropriated; they shall secure a just and prompt accountability by requiring bonds, with sufficient penalties and securities, from all persons intrusted with the receipt, custody or disbursement of money, and from such other officers as they may think necessary; they shall have the care and superintendence of the city buildings, and the control and management of all city

Executive power vested in mayor and aldermen.

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Election of city treasurer, city clerk, etc.

[Repealed, act of 1883.]

Vacancies and removals.

General duties of the city council.

property, with power to let or sell what may be legally let or sold; and to purchase property, real and personal, in the name and for the use of the city, whenever in the judgment of the city council it may be deemed expedient. The city council shall publish annually a particular account of the receipts and expenditures of the city, and a schedule of the property and debts of the same. The city council shall also fix the annual salary of the mayor.

General statement of receipts and expenditures to be printed.

Members of city council not to hold salaried offices.

City clerk to be clerk of aldermen and in joint convention.

SECT. 10. No alderman or common councilman shall be appointed or elected by the city council, or either branch thereof, to any office the salary of which is paid by the city.

SECT. 11. The city clerk before entering upon the duties of his office shall be sworn to the faithful performance thereof. He shall be clerk of the board of aldermen, shall attend said board when the same is in session, keep a journal of the acts and proceedings of said board, sign all warrants issued by them, and do such other acts in his capacity as may lawfully and reasonably be required of him; he shall deliver all journals, records, papers and documents, and other things entrusted to him as city clerk, to his successor in office immediately upon such successor being chosen and qualified as aforesaid, or whenever he may be thereto required by the board of aldermen. He shall also be clerk of the city council when in convention. He shall perform all the duties and exercise all the powers by law incumbent upon or vested in clerks of towns in this Commonwealth, or by law belonging to the city clerk of the City of Taunton, as fully as if the same were particularly enumerated. In case of the temporary absence or sickness of the city clerk, or in case of his death, the mayor and aldermen may appoint a city clerk *pro tempore*, with all the powers, duties and obligations of the city clerk, until the city clerk resumes his duties, or his successor is elected; and said officer shall be sworn in the manner provided in the case of the city clerk.

Appointment in case of absence.

Assessors and assistants.

SECT. 12. The persons heretofore elected by the city council as members of the board of assessors shall continue in office according to the terms heretofore established, and as soon after the first Monday in January annually hereafter as conveniently may be, the city council shall by concurrent vote elect one person, a resident of said city, to serve as a member of said board for three years from said first Monday, and until his successor is chosen and qualified. The city council may in like manner fill any vacancy in said board; may elect such assistants and provide such clerical aid as it deems necessary, and define the duties and fix the compensation of all of said officers. The assessors chosen as aforesaid shall exercise the same powers and be subject to the same duties and liabilities as town assessors under the laws of the Commonwealth. They shall be sworn to the faithful discharge of their duties. All taxes shall be apportioned and collected in the man

Collection of taxes.

prescribed by the laws of this Commonwealth: *provided, however*, that the city council may establish further or additional provisions for the collection thereof.

SECT. 13. As soon after the acceptance of this act as may be convenient, the city council shall by concurrent vote choose three persons to be overseers of the poor,—one for three years, one for two years, and one for one year, from the first Monday of January preceding said election, and until others shall be elected in their stead; and thereafter in the month of January annually said city council shall in like manner choose one person who shall hold his office for the term of three years next ensuing, and until another shall be chosen and qualified in his stead. The city council may, for cause, remove any member of said board, and shall fill any vacancy therein for the unexpired term, by election in the manner herein before provided, as soon as may be after the occurrence of such vacancy. Annually in the month of January said board shall organize by the choice from their own number of a chairman, and a secretary who shall also act as agent of said board. The city council shall fix the compensation of said overseers of the poor.

Overseers of
the poor.

SECT. 14. There shall be a board of health consisting of the city physician and two other persons, who shall be forthwith appointed in the manner provided in sections eight and fifteen of chapter eighty of the Public Statutes; and said board shall have all the powers and privileges and be subject to all the duties and provisions relating to boards of health so appointed, set forth in said chapter, and all the power and authority now vested in the board of health of said city shall be transferred to and be vested in the board of health appointed as above provided.

Board of
health.

SECT. 15. The city council shall establish a fire department for said city, and shall by ordinance determine of what officers and members said department shall consist, prescribe the time and mode of their appointment and removal, define their powers, duties and periods of service, fix their compensation and make such other regulations regarding their conduct and government as they deem expedient. The engineers or other officers of the department, appointed as aforesaid, shall have all the powers and authority conferred upon fire wards by the Public Statutes. The city council of said city may by ordinance make regulations concerning the management of fires, the conduct of all persons present at the same, the removal and protection of property, the examination of any building or place where combustible materials or substances are supposed to be kept or deposited, the removal of such materials and substances, and the adoption of other suitable safeguards against fires and the loss or destruction of property by reason of the same. Said city may procure and hold such land, buildings, furniture, engines and other apparatus as may be necessary for the purposes of the fire department; and

Fire depart-
ment.

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Powers may be exercised as prescribed by the city council. the city council may by ordinance make regulations regarding the use, control and preservation thereof. The powers and duties mentioned in the preceding sections, or any of them, may be exercised and carried into effect by the said city council in any manner in which it may prescribe, and through the agency of any persons or any board or boards to whom it may delegate the same. Suitable penalties may be affixed to the violation of the regulations made under the authority of this act, not exceeding twenty dollars for any breach thereof. Said city is authorized to expend a sum not exceeding five hundred dollars annually, under the direction of the city council, for the relief of such firemen as are disabled in the service of said city, and for the relief of the families of such firemen as are killed in the performance of their duties.

Laying out streets, etc.

SECT. 16. The mayor and aldermen, with the concurrent vote of the common council, may lay out, alter or discontinue streets and town ways, fix the grades thereof and estimate the damages sustained by parties thereby; but all parties aggrieved by such action shall have the same right of application and complaint to the county commissioners that they now have when dissatisfied with the action of selectmen of towns.

Drains and common sewers.

SECT. 17. The mayor and aldermen, with the concurrence of the common council, may lay drains and common sewers through streets or private lands, paying the owners such damages as they sustain thereby. They may require any person opening a drain into such common drain or sewer to pay a reasonable sum for that privilege.

Election of representatives to general court.

SECT. 18. The mayor and aldermen shall in each year issue their warrants for calling meetings for the election of the whole number of representatives to the general court, to which the said city is by law entitled, such number to be specified in such warrants.

Election of national, state and county officers.

SECT. 19. All elections of county, state and United States officers, who are chosen by the people, shall be held at meetings of citizens qualified to vote in such elections in their respective wards at the times prescribed by law; the votes given for such officers shall be received, assorted, counted, declared and registered in open ward meetings, as is herein provided in reference to city officers. The ward clerks shall forthwith deliver to the city clerk certified copies of the records so made; and all ballots and check lists shall be sealed and transmitted to the city clerk in the manner provided by the laws of the Commonwealth. The city clerk shall forthwith record such returns; and the mayor and aldermen shall, within the time provided by law, after every such election, examine and compare all such returns, and make out a certificate of the result of such election, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which certificate shall be transmitted, delivered and returned as by law

required. If the whole number of representatives to the General Court are not elected, the mayor and aldermen shall issue their warrants for a new election, conformably to the constitution and laws.

SECT. 20. Lists of voters in each ward shall be prepared by the mayor and aldermen in the manner provided by the laws of the Commonwealth, and for that purpose they shall have access to the assessors' books and lists, and be entitled to the assistance of all the city officers; and said lists, so prepared, they shall deliver to the clerks of the wards, to be used at such elections, and shall cause copies thereof to be posted in three public places in each ward the length of time required by law prior to such elections; and no person shall be entitled to vote in a ward whose name is not borne on such a list: *provided*, that any person whose name shall not be borne on the list of the ward in which he is entitled to vote when it shall be placed in the hands of the clerk of said ward shall have the right to have his name entered thereon at such time thereafter as is provided in like cases by the laws of this Commonwealth.

Preparation of
voting lists.

SECT. 21. General meetings of the citizens qualified to vote may be held according to the right secured to the people by the constitution of the Commonwealth. Such meetings shall be called by the mayor and aldermen on the petition of fifty qualified voters.

General meet-
ings of citi-
zens.

SECT. 22. The city council shall make by-laws or ordinances, with suitable penalties, for the inspection, survey, measurement, weighing and sale of lumber, wood, coal and bark brought into or exposed in the city for sale, and all such other by-laws as towns may make and establish; but no penalty for a breach thereof shall exceed twenty dollars. Such by-laws shall be presented to the mayor for his approval; if he approve, he shall sign them; if not he shall return them to either branch of the city council, with his objections; if they are again passed by two-thirds of the members of each board present and voting thereon, the same shall become a law, otherwise not. All fines and forfeitures for the breach of any by-law or ordinance shall be paid into the city treasury.

By-laws to be
made for in-
spection of
bark, lumber,
etc.

SECT. 23. All fines, forfeitures and penalties accruing for the breach of any by-law of said city, or of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before the First District Court of Bristol in the manner in which fines, forfeitures and penalties have heretofore been by law prosecuted for and recovered; reserving however to the party prosecuted the right of appeal to the superior court. If any person refuses to pay such a fine imposed upon him, or refuses to recognize with sureties to prosecute his appeal, the same proceedings shall be had as in any criminal prosecution.

Fines and for-
feitures may
be prosecuted
for before
First District
Court of Bris-
tol.

Void unless accepted within three months.

SECT. 24. This act shall be void unless accepted by the city council of Taunton within three months from its passage. [*Approved May 11, 1882. Accepted by the City Council, July 10, 1882.*]

AMENDMENT

TO THE

REVISED CITY CHARTER.

CHAPTER 46, ACTS OF 1883.

AN ACT relating to the City Physician and Board of Health of the City of Taunton.

Section.

1. Amending Section 9, striking out
"and city physician."

Section.

2. Appointments in 1883.

SECT. 1. Section nine of chapter two hundred and eleven of the acts of the year eighteen hundred and eighty-two, providing for the election of certain officers of the City of Taunton, is amended by striking from the twentieth line of said section the words "and city physician," and by inserting in said line the word "and" before the word "superintendent." Amendment
striking out
"and city physician."

SECT. 2. The appointments to the board of health of the City of Taunton shall, in the year eighteen hundred and eighty-three, be made within thirty days after the passage of this act, to take effect from the first Monday of February of said year. Appointments

SECT. 3. This act shall take effect upon its passage. [*Approved March 14, 1883.*]

SPECIAL ACTS.

STATUTES OF 1875. CHAPTER 217.

AN ACT to supply the City of Taunton with pure water.

Taunton to be supplied with water. (Acts 1878, Chap. 140, s. 3.)

SECTION 1. The City of Taunton is authorized to take and hold the waters of either Taunton River, in the City of Taunton, or in the Town of Raynham, or Elders' and Assowompset Ponds in the Towns of Lakeville, Middleborough and Rochester, and the waters in said towns which flow into said ponds, together with any water-rights connected therewith, and may take and hold, by purchase or otherwise, such land around the margin of said ponds, not exceeding five rods in width, as may be necessary for the preservation and purity of said waters, and may also take and hold such lands as are necessary for maintaining dams and reservoirs for the storage of said waters, and for laying and maintaining conduits, pipes, drains and other works for collecting, conducting and distributing said waters through said City of Taunton: *provided, however,* that if said City of Taunton take water from said Assowompset Pond, the said city shall construct and maintain a dam at the place where the Assowompset Pond flows into Nemasket River, not exceeding two and one-half feet in height above the mud sill as it now exists at said place; and *provided, further,* that if said dam shall not retain sufficient water for one year's supply for the City of Taunton, then said city shall have the right to, and shall raise said dam to such a height as will retain sufficient water for one year's supply for said City of Taunton. It is also provided that the natural flow of said Assowompset Pond into the Nemasket River shall at all times be maintained.

To file in the Registry of Deeds a description of land taken.

SECT. 2. Said City of Taunton shall, within sixty days from the time of taking any land as aforesaid, file in the registry of deeds in which by existing laws a deed of the same is required to be recorded, a description of land so taken, sufficiently accurate for identification, and state the purposes for which it is taken, and the title of all land so taken shall vest in said city. Any person injured in his property under this act, and failing to agree with said city as to the amount of damages, may have the same assessed and determined in the same manner as is provided where land is taken for highways.

May construct dams, reservoirs, etc.

SECT. 3. Said City of Taunton may construct dams, reservoirs and aqueducts, and maintain the same by any works

suitable therefor. Said City of Taunton may also carry its conduits, pipes and drains over or under any water-course, street, railroad, highway or other way, in such a manner as not to obstruct the same, and may enter upon and dig up any road or way in such a manner as to cause the least hindrance to the travel thereon; and in general may do any other acts and things necessary, convenient or proper for the carrying out of this act.

SECT. 4. Whoever willfully corrupts, pollutes or diverts any of the waters taken under this act, or injures any dam, reservoir, aqueduct, conduit, pipe or other property owned or used by said city for the purposes of this act, shall forfeit and pay to said city three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above acts shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding six months.

Penalty for corrupting or diverting water.

SECT. 5. For the purpose of defraying the cost and expenses which may be incurred under the provisions of this act, said City of Taunton, through its treasurer, shall have authority to issue, from time to time, notes, scrip or certificates of debt, to be denominated on the face thereof, "Taunton Water Loan," to an amount not exceeding two hundred thousand dollars, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually; the principal shall be payable at periods not more than twenty years from the issuing of said notes, scrip or certificates of debt respectively. Said city may sell the same, or any part thereof, from time to time, or pledge the same for money borrowed for the purposes aforesaid, on such terms and conditions as it may deem proper. Said city shall pay the interest as it accrues on said loan, and shall establish a sinking fund and shall contribute thereto annually a sum sufficient with its accumulations to pay the principal of said loan at maturity; and said sinking fund shall remain sacred and inviolate and pledged to the payment of said principal and shall be used for no other purpose.

Water loan not to exceed \$200,000.

SECT. 6. Three commissioners shall be chosen by the city council in convention, one for the term of one year, one for the term of two years, and one for the term of three years from the first Monday of the January following the acceptance of this act by the City of Taunton as hereinafter provided, and until their successors respectively are chosen. In each succeeding year one commissioner shall be so chosen for the term of three years and until his successor is chosen. The city council may in like manner fill any vacancy occurring in said board. And the said commissioners shall superintend and direct the execution and performance of all the works, matters and things mentioned in the preceding sections; they shall be subject to such ordinances, rules and

Water Commissioners to be chosen by city council.

regulations, in the execution of their said trust, as the city council may from time to time ordain and establish, not inconsistent with the provisions of this act, and the laws of this Commonwealth. A major part of said commissioners shall be a quorum for the exercise of the powers, and the performance of the duties of the said office.

Commissioners
to establish
water rates.

SECT. 7. Said water commissioner shall so establish the rents for the use of said water, as to provide annually from the net income for the payment of the interest on the "Taunton Water Loan," and also after three years from the introduction of said water, for the further payment of not less than one per centum of the principal of said loan. The net surplus, after deducting all interest and expenses, shall be set apart as a sinking fund and applied solely to the payment of the principal of said water loan, until the same is fully paid and discharged. [Said water commissioners shall be trustees of said sinking fund, and shall annually, or as often as said city may require, render an account of all the doings in relation thereto.]

Amended by
St. 1878, c. 31.
Com'rs of
Sinking Funds
substituted.

Water rates to
be increased if
receipts are not
sufficient to
pay interest on
the loan.

SECT. 8. At any time after the expiration of three years from the introduction of said water, and before the reimbursement of the principal of said "Taunton Water Loan," if the net income from said water rents, at the rates established by the water commissioners, shall, for any two successive years, be insufficient to pay the accruing interest on said loan, and the one per centum to the sinking fund as aforesaid, then the supreme judicial court, or any justice thereof, upon the petition of twenty-five or more legal voters of said city, shall appoint three commissioners, who, upon due notice to the parties interested, may increase the price of said water, so far as may be necessary for the purposes aforesaid, but no further, and the award of said commissioners, or the major part of them, being returned and accepted by said court at the next term thereof, shall be binding and conclusive for not less than three years next after said acceptance.

Liability of
owner and
tenant.

SECT. 9. The occupant of any tenement shall be liable for the payment of the rent for the use of water in such tenement, and the owner shall also be liable, if, on being notified in writing of such use he does not object thereto.

Rights of cer-
tain towns not
affected.

SECT. 10. Nothing in this act shall affect any right of the town of Raynham to draw water from said river, or any rights of the Towns of Lakeville, Middleborough and Rochester, to draw water from said pond or ponds, or of the City of New Bedford to draw water from Long Pond.

When to take
effect.

SECT. 11. This act shall take effect upon its passage, and shall become void unless accepted within two years by a majority vote of the legal voters of the City of Taunton present and voting at a legal meeting called for that purpose, and held in the same manner as meetings for the election of municipal officers; the check list shall be used, and the

voting of such meeting shall be by ballot, written or printed yea or nay. [*Approved May 19, 1875. Accepted Sept. 21, 1875.*]

STATUTES OF 1877. CHAPTER 70.

AN ACT to authorize the City of Taunton to issue additional water scrip, and to limit the amount thereof.

SECTION. 1. The City of Taunton, for purposes mentioned in the fifth section of chapter two hundred and seventeen of the acts of the year one thousand eight hundred and seventy-five, may issue notes, scrip or certificates of debt, to be denominated on the face thereof "Taunton Water Loan," to an amount not exceeding fifty thousand dollars in addition to the amount authorized by said chapter, to be issued upon like terms and conditions and with like powers in all respects as are provided in said chapter two hundred and seventeen for the issue of bonds of said city: *provided*, that the whole amount of such water scrip, bonds, notes or certificates issued by said city under the authority given by this act and by all other acts shall not in any event exceed the amount of two hundred and fifty thousand dollars.

May issue additional water scrip.

Not to exceed in all \$250,000.

SECT. 2. This act shall take effect upon its passage. [*Approved March 26, 1877.*]

STATUTES OF 1878. CHAPTER 31.

AN ACT to amend section seven of Chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five, making the Commissioners of the sinking funds of the City of Taunton Trustees of the Water Loan sinking fund.

Be it enacted, etc., as follows: —

SECT. 1. Section seven of chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five is hereby amended by striking out all words in said section after the word "discharged," and inserting the following: — "The commissioners of the sinking funds of said City of Taunton shall be trustees of said sinking fund; and shall annually, or as often as said city may require, render an account of all the doings in relation thereto."

Sinking Fund Com'rs to be Trustees of Water Loan Sinking Fund.

SECT. 2. This act shall take effect upon its passage. [*Approved February 28, 1878.*]

STATUTES OF 1880. CHAPTER 74.

AN ACT in addition to an act to supply the City of Taunton with pure water.

Water supply
for the city.

Loan not to
exceed \$350,000

The city may
take land.

To file in the
Registry a de-
scription
thereof.

SECTION 1. The City of Taunton for the purposes mentioned in the fifth section of chapter two hundred and seventeen of the acts of the year one thousand eight hundred and seventy-five, and for defraying all costs and expenses which may be incurred under the provisions of this act additional thereto, may issue notes, scrip, bonds, or certificates of debt to be denominated on the face thereof "Taunton Water Loan," to an amount not exceeding one hundred thousand dollars in addition to the amounts authorized by said chapter and chapter seventy of the acts of the year eighteen hundred and seventy-seven, to be issued upon like terms and conditions and with like powers in all respects as are provided in said chapter two hundred and seventeen for the issue of bonds of said city, *provided*, that the whole amount of such water scrip, notes, bonds, or certificates of debt, issued by said city under the authority given by this act and the other acts above mentioned, shall not in any event exceed the amount of three hundred and fifty thousand dollars.

SECT. 2. The City of Taunton may take and hold by purchase or otherwise such lands as it may deem necessary, adjoining the Taunton Great River within the limits of the City of Taunton or Town of Raynham, in addition to the land already taken and held by said city under the provisions of chapter two hundred and seventeen of the acts of the year one thousand eight hundred and seventy-five, for the purpose of extending and increasing the supply of pure water, and for laying, maintaining and constructing the conduits, pipes, reservoirs and other works for holding, collecting, filtering, purifying, conducting and distributing the waters of said river or such waters as may be drawn from the land taken under this and said previous acts.

SECT. 3. Said City of Taunton shall, within sixty days from the time of taking of any land as herein provided, file in the registry of deeds in which by existing laws a deed of the same is required to be recorded, a description of the land so taken sufficiently accurate for identification, and shall state therein the purposes for which it is taken, and the title of all land so taken shall vest in said city. Any person injured in his property under this act and failing to agree with said city as to the amount of damages may have the same assessed and determined in the same manner as is provided where land is taken for highways.

SECT. 4. This act shall take effect upon its passage. [*Approved March 11, 1880.*]

STATUTES OF 1882. CHAPTER 159.

AN ACT to authorize the City of Taunton to increase its Water Loan.

SECTION 1. The City of Taunton, for the purposes mentioned in section five of chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five and chapter seventy-four of the acts of the year eighteen hundred and eighty, may issue notes, scrip, bonds or certificates of debt, to be denominated on the face thereof "Taunton Water Loan," to an amount not exceeding one hundred thousand dollars, in addition to the amounts which said city is now authorized to issue, to be issued upon the same terms and conditions and with the same powers as are provided in said chapter two hundred and seventeen for the issue of bonds of said city: *provided*, that the whole amount of such water scrip, notes, bonds or certificates of debt issued by said city for the purposes of said water loan hereunder and under said chapter two hundred and seventeen and the acts in addition thereto shall not in any event exceed the amount of four hundred and fifty thousand dollars.

May increase
loan to not ex-
ceeding
\$450,000 in all.

SECT. 2. This act shall take effect upon its passage. [*Approved April 14, 1882.*]

STATUTES OF 1884. CHAPTER 160.

AN ACT to authorize the City of Taunton to increase its Water Loan.

Be it enacted, etc., as follows:—

SECTION 1. The City of Taunton, for the purposes mentioned in chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five, and chapter seventy-four of the acts of the year eighteen hundred and eighty, may issue notes, scrip, bonds or certificates of debt to be denominated on the face thereof "Taunton Water Loan," to an amount not exceeding one hundred thousand dollars, in addition to the amounts which said city is now authorized to issue, payable at periods not exceeding thirty years from the date of issue and, except as herein otherwise provided, to be issued on the same terms and conditions and with the same powers as are provided in said chapter two hundred and seventeen for the issue of bonds of said city: *provided*, that the whole amount of such water scrip, notes, bonds or certificates of debt issued by said city for the purposes of said water loan hereunder and under said chapter two hundred and seventeen and the acts in addition thereto, shall not in any event exceed the amount of five hundred and fifty thousand dollars.

Taunton may
increase its
water loan.

Whole amount
not to exceed
\$550,000.

SECT. 2. This act shall take effect upon its passage, but shall become void unless accepted by vote of the city council of the City of Taunton. [*Approved April 16, 1884. Accepted.*]

STATUTES OF 1888. CHAPTER 124.

AN ACT to authorize the City of Taunton to increase its Water Loan.

Be it enacted, etc., as follows:—

Taunton may
increase water
loan.

SECTION 1. The City of Taunton for the purposes mentioned in chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five, and chapter seventy-four of the acts of the year eighteen hundred and eighty, may issue scrip, notes, bonds, or certificates of debt to be denominated on the face thereof Taunton Water Loan, to an amount not exceeding one hundred thousand dollars, in addition to the amounts which said city is now authorized to issue, payable at periods not exceeding thirty years from the date of issue, and, except as herein otherwise provided, to be issued on the same terms and conditions and with the same powers as are provided in said chapter two hundred and seventeen for the issue of notes, scrip, or certificates of debt of said city; *provided*, that the whole amount of such water scrip, notes, bonds, or certificates of debt issued by said city for the purposes of said water loan hereunder and under said chapter two hundred and seventeen and the acts in addition thereto, shall not in any event exceed the amount of six hundred and fifty thousand dollars.

Whole amount
not to exceed
\$650,000.

SECTION 2. This act shall take effect upon its passage. *Approved March 12, 1888.*

ACTS OF 1892. CHAPTER 94.

AN ACT to authorize the City of Taunton to make an additional Water Loan.

Taunton may
increase its
water loan to
an additional
amount of
\$500,000.

SECTION 1. The City of Taunton, for the purposes mentioned in chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five, and subject to its terms and provisions except as herein provided, may issue notes, scrip or certificates of debt to be denominated on the face thereof, Taunton Water Loan, to an amount not exceeding five hundred thousand dollars in addition to the amount which said city has heretofore been authorized to issue, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; the principal shall be payable at a period not more than thirty years from the first day

Terms of loan.

of July in the year eighteen hundred and ninety-two, and any premium derived from the sale of said notes, script or certificates of debt, shall be held by the city treasurer and shall be applied to the payment of the interest on the debt herein authorized, so far as said premium shall suffice therefor. Said city shall pay the interest on said debt as it becomes due, and shall establish and maintain a sinking fund and contribute thereto annually after the first day of January in the year eighteen hundred and ninety-seven, a sum sufficient with its accumulation to pay the principal of said loan at maturity; and said sinking fund shall remain sacred and inviolate and pledged to the payment of said principal and shall be used for no other purpose; but said city shall not be required to contribute to said sinking fund until said year eighteen hundred and ninety-seven. Sinking fund.

SECT. 2. This act shall take effect upon its passage. [*Approved March 22, 1892.*]

STATUTES 1878. CHAPTER 140.

AN ACT to provide a further supply of water for the City of New Bedford

Be it enacted, &c., as follows:—

SECT. 1. The City of New Bedford is hereby authorized to take and hold, and convey into the reservoir of the New Bedford water works, in the Town of Acushnet, for the use of said city, in the same manner and for the same purposes as the waters of said reservoir are or may be now used by law, the waters of Long Pond in the Towns of Lakeville and Free-town or of Little Quittacus Pond in the Towns of Lakeville and Rochester; and it is further authorized to take and hold, by purchase or otherwise, such lands as may be necessary for the laying out and maintaining an aqueduct or conduit for conducting said waters to said reservoir; and may take and hold such lands on each side of said aqueduct or conduit as may be deemed necessary or prudent, not exceeding two and a half rods on either side. Authority of
New Bedford
to take Lake-
ville waters.

SECT. 2. Said city shall within sixty days from the time of taking any lands aforesaid, file in the registry of deeds for the county or district in which said lands lie, a description thereof, sufficiently accurately for identification, and a statement of the purpose for which said lands are taken; and thereafter the title of all lands so taken shall vest in said city. Any person injured in his property under this act, and failing to agree with said city as to the amount of damages, may have the same assessed and determined in the same manner as provided in the act of eighteen hundred and sixty-three, Terms of loan.

chapter one hundred and sixty-three, entitled "An Act to supply the city of New Bedford with pure water."

Adjustment of
water rights
with Taunton.

SECT. 3. If at any time the City of Taunton shall take its water supply or any portion thereof from Assowompset Pond, and shall erect the dam provided for in chapter two hundred and seventeen of the acts of the year one thousand eight hundred and seventy-five, the supreme judicial court, or any justice thereof, upon application of the City of Taunton, shall appoint a board of three commissioners, no one of whom shall be a citizen of the City of Taunton or of the City of New Bedford; and said commissioners after having been sworn to the faithful and impartial discharge of their duties shall, after notice to both cities and a hearing, determine and decree what proportion if any, of the expense of the construction and maintenance of said dam and of the damages caused by the erection thereof, should be borne by the City of New Bedford, and shall assess the same accordingly and shall determine the manner in which the same shall be borne. In making their determination said commissioners shall not consider the priority of use of said waters by either of said cities, but shall consider all other circumstances, which in their opinion may affect the proportion in which the expense of said construction, maintenance and damages should be borne. They shall also determine how the costs of said proceedings shall be borne by said cities. The determination and decree of said board of commissioners, or that of a majority of them, shall be made in writing, and be reported to said court, and shall be subject to revision by said court. Said report, being accepted by said court, shall be binding upon both said cities. [*Approved April 13, 1878.*]

STATUTES OF 1884. CHAPTER 59.

SECTIONS 1, 8 AND 9.

AN ACT to supply the Town of Middleborough with water, or to authorize the Middleborough Fire District to furnish a water supply.

Be it enacted, etc., as follows:—

Authority of
Middle-
borough to
take As-
sowompset
Pond.

SECTION 1. The town of Middleborough is hereby authorized to take and hold in said town the water of Nemasket River, or of any springs or natural brooks within the watershed of said river in said Middleborough, or the water of Assowompset Pond, and convey the same into and through the said Town of Middleborough and through that part of the town of Lakeville lying between Assowompset Pond and said Middleborough on the westerly side of said Namasket River, for the use of said Middleborough and the inhabitants

thereof, for domestic and manufacturing purposes, and the extinguishment of fires; and may also take and hold by purchase or otherwise lands or estates for the construction of such works as may be necessary therefor, and for laying and maintaining aqueducts or pipes, constructing and maintaining reservoirs, and such other works as may be necessary for conveying, raising, retaining and distributing said water.

SECT. 8. The preceding sections of this act, so far as they apply to, and confer authority on the town of Middleborough to introduce a supply of water for its inhabitants as aforesaid, shall become inoperative and void, unless said town shall accept the same and authorize the introduction of water under its provisions by a two-thirds vote of its legal voters present and voting thereon at any legal town meeting called for the purpose within three months from the date of the passage of this act. At such meeting the check list shall be used and the voting shall be by ballot, written or printed, Yes, or No. The number of meetings so called shall not exceed two.

SECT. 9. In case the town of Middleborough shall refuse to accept the preceding provisions of this act as specified in section eight, then the organization now known as the Middleborough Fire District with its present metes and bounds shall hereby be made a corporation; and in addition to the powers which it now has under the general law shall have the right to exercise all the powers and privileges conferred upon said town of Middleborough by the preceding sections of this act, and shall assume all the liabilities and duties imposed upon said town by this act. Said district shall have the right to introduce from any of the sources named in the preceding sections a supply of water for the use of its inhabitants, may construct and maintain complete water works for making available and distributing such supply, and for that purpose may take and hold land, water sources and water rights, lay pipes, erect buildings, procure and operate machinery, establish fountains and hydrants and discontinue the same, and may exercise all the authority in these respects granted in preceding sections to the town of Middleborough. Said district may make such contracts with individuals, corporations and the Town of Middleborough for the supplying of water as may be agreed upon, and may fix and collect rates for the use of the water. This authority to introduce a public water supply under the provisions of this act is granted on condition that the same is assented to by said fire district within two years from the passage of this act, by a two-thirds vote of the voters of said district qualified to vote in town affairs, present and voting thereon at any legal meeting called for that purpose; whereupon all the rights, privileges and liabilities herein granted to or imposed upon said Town of Middleborough shall vest in and be assumed by said fire district. At such meeting the check list shall be used and the voting shall be by ballot, written or printed, Yes, or

No. The number of meetings called in one year shall not exceed three. *Rejected by the Town May 19, 1884, and Feb'y 7, 1885. Accepted by the Fire District, April 29, 1885.*

STATUTES OF 1891. CHAPTER 150.

AN ACT to authorize the City of Taunton to incur indebtedness beyond the limit fixed by law.

Be it enacted, etc., as follows:—

Taunton authorized to incur a debt of \$200,000 for Sewers.

SECTION 1. The City of Taunton, for the purpose of constructing a system of sewers, may issue notes, scrip, bonds or certificates of debt, signed by the treasurer and countersigned by the mayor, to be denominated on the face thereof Taunton Sewer Loan, Act of 1891, to an amount not exceeding two hundred thousand dollars in addition to the amounts which the city is now authorized to issue by the general law.

SECT. 2. This act shall take effect upon its passage. [*Approved, March 30, 1891.*]

STATUTES OF 1864. CHAPTER 188.

AN ACT concerning the Weir Bridge in Taunton.

Rebuilding of bridge required.

Construction of draw.

SECTION 1. The inhabitants of the Town of Taunton are hereby authorized and required to rebuild the bridge over Taunton Great River at Weir Village, in said Taunton, with a suitable double draw therein; one part of said draw to be, as near as may be, in the centre of said river, and not less than thirty-five feet in width, the other part to be on the easterly side of said river, and not less than twenty five feet in width; the whole to be constructed in a substantial and proper manner, and to the acceptance of the county commissioners of the county of Bristol.

Expenses of rebuilding.

SECT. 2. The expenses of rebuilding said bridge and constructing said draw, shall be paid by said town of Taunton; and the said county commissioners may, in the exercise of their discretion, pursuant to section fifty-one of the forty-third chapter of the general statutes, order the whole or a part of said expenses to be repaid to said town out of the treasury of said county. Said bridge when rebuilt, shall be forever maintained, and a proper draw-tender provided therefor, by and at the expense of said town of Taunton.

Maintenance.

Repeal.

SECT. 3. The three hundred and thirty-eighth chapter of the acts of the year eighteen hundred and fifty-one, is hereby repealed.

Act, when in force.

SECT. 4. This act shall take effect in ninety days after its passage.

STATUTES OF 1871. CHAPTER 178.

AN ACT to authorize the City of Taunton to change the course of Little River.

SECTION 1. The city of Taunton is hereby authorized to change the course of Little River, in said city, by filling up the southerly branch thereof, where it now crosses Hill street and Weir street, and enlarging the northerly branch thereof, where it crosses Weir street; and to discontinue and remove the present bridges over said southerly branch.

May change course of Little River.

SECT. 2. All the proceedings in relation to such alteration shall be conducted in like manner as in laying out, altering or discontinuing highways in said city; and any person or corporation injured by such alteration shall have the like remedies for recovering damages sustained thereby, as in cases of laying out or altering highways, so far as the same are applicable thereto.

Proceedings to be conducted as in laying out and altering highways.

SECT. 3. This act shall take effect upon its passage.

STATUTES OF 1883. CHAPTER 92.

AN ACT to authorize the City of Taunton to construct a bridge across Taunton Great River.

SECTION 1. The City of Taunton is hereby authorized, subject to the provisions of chapter nineteen of the public statutes, to construct and maintain a safe and convenient bridge across Taunton Great River from a point at or near Dean's wharf, so called, on Dean street in said Taunton, to a point opposite or nearly opposite, on the southerly bank of said river; and the said City of Taunton is further authorized to do such acts as may be necessary or convenient in the premises to provide for public travel over said bridge and for the navigation of said river at said bridge.

Authority to construct bridge across Taunton Great River at Dean's Wharf.

SECT. 2. Said city may take such land or other property as it may deem necessary to carry into full effect the provisions of the preceding section; and any person injured in his property under this act and failing to agree with said city as to the amount of damages, may have the same assessed and determined in the same manner as is provided where land is taken for highways.

Assessment of and damages.

SECT. 3. This act shall take effect upon its passage.
[Passed March 29, 1883.]

STATUTES OF 1888. CHAPTER 254.

AN ACT authorizing the City of Taunton, to construct a way through land held by the trustees of the Taunton Lunatic Hospital.

Be it enacted, etc., as follows :

Authority to
lay out streets
over Hospital
lands.

SECTION 1. The City of Taunton is authorized to lay out and construct a way through land held by the trustees of the Taunton lunatic hospital in trust for the Commonwealth, from a point on Chester street in the city of Taunton near its intersection with Danforth street to Mill River, and for this purpose may take such portion of said land as shall be deemed necessary.

SECT. 2. This act shall take effect upon its passage. [*Approved June 23, 1888.*]

STATUTES OF 1884. CHAPTER 267.

AN Act to authorize the laying out of a way on land held in trust by the trustees of the Taunton Lunatic Hospital.

Be it enacted, etc., as follows :

Authority to
lay out street
over Hospital
lands.

SECTION 1. Authority is hereby given to lay out and construct a street or highway through land held by the trustees of the Taunton Lunatic Hospital in trust for the Commonwealth, and along the north-westerly side thereof from Mill River in said Taunton to Danforth Street; and for this purpose such portions of said land may be taken as shall be deemed necessary.

SECT. 2. This act shall take effect upon its passage. [*Approved May 24, 1884.*]

STATUTES 1891. CHAPTER 197.

AN ACT to authorize the City of Taunton to cede land to the United States for a Post Office Building.

Be it enacted, etc., as follows :

Authority to
cede land to
United States
for Post Office
Building.

SECTION 1. The City of Taunton is hereby authorized to cede to the United States of America such portion of the land owned by said city of Taunton, at or near Taunton green in said Taunton, as may be required for the construction and improvement of a post office building, as provided by the acts of congress of the United States relating thereto; subject, nevertheless, to the provisions of section four of chapter one of the public statutes and any amendment thereof; and

provided, further, that the jurisdiction of the United States shall not include any part of the streets by which said land may be bounded, if said streets are public highways.

SECT. 2. This act shall take effect upon its passage. [*Approved April 14, 1891.*]

STATUTES OF 1855. CHAPTER 401.

AN ACT to regulate the Fisheries in Taunton Great River and the Nemasket River.

SECTION 1. From and after the passage of this act it shall not be lawful for any person or persons to catch shad or alewives in any manner, in Taunton Great River or in Nemasket River from the first day of March to the tenth day of June, including both of said days, in each year, except as hereinafter provided in this act.

Catching shad or alewives prohibited at certain seasons.

SECT. 2. The several cities and towns hereafter in this section named shall, annually, in legal meeting to be held for that purpose, on or before the fifteenth day of November in each year, sell at public auction, to the highest bidder, who shall give satisfactory security for the payment therefor, for the benefit of said cities and towns respectively, the privilege of taking shad and alewives in Taunton Great River between the days aforesaid, and including those days, in the year next succeeding such sale, with the number of seines following: the city of Fall River and town of Freetown may each sell the privilege of fishing with one seine for the purpose aforesaid; the towns of Somerset, Dighton, Berkley and Raynham may each sell the privilege of fishing with two seines for the purpose aforesaid; and the town of Taunton may sell the privilege of fishing with three seines for the purpose aforesaid; which privileges of fishing shall be sold separately, and the purchaser or purchasers thereof may locate and use the privilege or privileges by him or them obtained at any such sale, at any place upon said Taunton Great River, which he or they may select or procure, with the consent of the owner or owners of the shore on which such location or locations may be made.

Fishing privileges sold at auction. (Amended by Act 1866, Chap. 54. Act 1875, Chap. 71.)

Number of seines.

Location of privileges. Amended by Chap. 206, Acts of 1876.)

SECT. 3. No seine that shall be used for the purpose of fishing in said Taunton Great River, in the towns of said Taunton and Raynham, and in the towns of Dighton and Berkley above Rocky Point, shall be more than twenty rods in length; and no seine that shall be used for such purpose in said towns of Berkley and Dighton, below Rocky Point, shall be more than thirty-five rods in length; and no seine that shall be used for such purpose in the towns of Somerset, Freetown, or the city of Fall River, shall be more than forty rods in length. And no shad or alewives shall be taken by any

Length of seines.

instrument or means at any time within one mile and a half of the dam near "King's Bridge" so called, in Squawbetty village.

Limits of fishing privileges, etc.

SECT. 4. No seine shall be allowed to be set or remain in said Taunton Great River for any longer time than is necessary to cast the same and haul it immediately to the shore. And no seine or other obstruction, to hinder the fish going up, shall be put in the river below the dam at Squawbetty village, during the time not allowed for fishing, hereinafter mentioned. And all locations that shall be made on the shore of said river for the purpose of fishing, shall have the upper and lower limit thereof designated by some proper object on the shore, which shall not be changed during any one fishing season; and such location shall be forty rods in length above Rocky Point and forty-five rods in length below Rocky Point. And no seine shall be swept without the compass of two parallel lines down, the one from a point ten rods above the upper limit, and the other from a point ten rods below the lower limit, of all locations above Rocky Point, and at right angles with a line drawn from such upper and lower limits, or without the compass of two parallel lines drawn, the one from a point thirty rods above the upper limit, and the other from a point thirty rods below the lower limit, of all locations below Rocky Point, and at right angles with a line drawn from such upper and lower limits, — all said distances above and below to be measured on the shore of said river. And no seine shall be swept more than fifty rods in the river above Rocky Point, or more than seventy-five rods in the river below Rocky Point, at any one sweep.

Days of fishing Repealed by Chap. 208, Acts of 1876.

SECT. 5. No shad or alewives shall be taken in any part of Taunton Great River or the Nemasket River between the hours of nine o'clock on Friday evening of each week, and four o'clock on Monday morning succeeding, from the first day of March to the tenth day of June, in each year, hereafter, including both of said days; and no shad or alewives shall be taken in Taunton Great River above Berkley and Dighton bridge, between the hours of twelve o'clock in the night following Thursday of each week, and four o'clock on Monday morning succeeding, from the first day of March to the tenth day of June, in each year, including both of said days.

Purchasers to file certificate of location.

SECT. 6. The several purchasers of the privileges aforesaid shall select the place where they intend to use the same for the purpose of catching shad and alewives, and shall file a certificate of such selection and the location thereof, with the clerk of the city or town within which such location shall be made, on or before the first day of March in each year hereafter. And the purchaser or purchasers so locating said privileges, shall have the right to catch shad and alewives in said Taunton Great River for the time named in the first and

fifth sections of this act, at their respective locations to be made as aforesaid, and no other persons except the assistants of such purchaser or purchasers.

SECT. 7. No person shall set any seine, net, weir or other hindrance or obstructions in or across said river, or any part thereof, or in any of the waters connected therewith, except in the mouth of Broad Cove, so called, in the Towns of Dighton and Somerset; nor shall any person at any place on said waters, drive or pursue with any boat or boats, contrary to the intent and meaning of this act, any shad or alewives; nor shall any person whip or beat the said waters with any instrument or thing, or throw into said waters any earth or other substance or thing, whereby said fish shall be hindered, disturbed, driven, destroyed or delayed, during the time named in the first section of this act. And if any person shall be found fishing with any seine, net or other instrument, contrary to the provisions of this act, and if any person shall be found having or conveying away in any building, boat or vessel or in any cart or other vehicle, any fish taken in violation of the provisions of this act, knowing the same to be so taken, it shall be lawful for any fish warden, chosen in pursuance of the ninth section of this act, to enter any such building and take to his own use all such fish and any such seine, net or other instrument, any such boat, vessel, cart or other vehicle, without any warrant other than is given by the provisions of this section.

Duty of fish warden in regard of violations to this act

SECT. 8. The inhabitants of the towns of Middleboro and Lakeville, shall have the whole control and management of the fisheries on the Nemasket River, and shall have the right to catch, by their committees or their agents, duly chosen in legal meetings, or to sell the right of catching, shad or alewives by set nets or dip nets, during the time named in the first section of this act, at any three places within the limits of said towns, to be designated for each year by said towns in legal meetings, each of such rights to be used only from four o'clock on Monday morning to nine o'clock on Friday evening of each week, and at no other time or places during the period named in said first section. And the net proceeds of such fishery or sales shall be divided between the said towns of Middleboro and Lakeville, in proportion to the number of ratable polls in each respectively, and the respective parts of such proceeds shall be disposed of by said towns respectively, in such manner and for such purposes as each town shall for itself determine and direct.

Right of fishing on Nemasket River.

Proceeds, how disposed of.

SECT. 9. The several towns aforesaid, at their annual meeting in March or April, and the mayor and aldermen of any city upon said river, at any meeting, shall choose by ballot, each three or more persons for fish wardens, whose duty it shall be to see that this act is enforced, and prosecute for all breaches or violations thereof; and each fish warden so chosen shall be sworn to the faithful discharge of his duty by

Choice of fish wardens.

16 Gray, 288.

To be sworn.

the clerk of any city or town in which he shall be chosen, within ten days after his election; and said clerk shall make record thereof; and such fish wardens, when duly sworn, are authorized to measure seines and locations, and to pursue the duties of their office in any place, and to enter any building where they have good cause to believe any fish taken in violation of this act, are kept.

Penalty for neglect.

And if any person chosen fish wardens as aforesaid shall neglect, for the space of ten days after his election, being notified thereof, to take the oath aforesaid, he shall forfeit and pay, to the use of the town or city in which he was so elected or chosen, a fine of ten dollars, to be recovered in an action of tort, in the name of the treasurer of such town or city, and the town or city shall proceed to fill the vacancy created by such refusal to be qualified as aforesaid; and if any of said towns or city shall neglect to choose fish wardens as aforesaid, or to make sale of their privileges as aforesaid, such town or city shall forfeit and pay a fine of one hundred dollars, to be recovered in an action of tort, to the use of any person who shall sue for the same.

Penalty for neglect of towns, etc.

Fishway to be kept open.

SECT. 10. The proprietors of the mills and dam at King's Bridge, in Squawbetty Village, and all other proprietors of dams on said rivers, shall keep open a good and sufficient way for the passage of the fish that usually go up said Taunton Great River in their usual and proper season during the time named in the first section of this act; provided, such fishway need not be kept open in the spring of the year before such proprietors, or some one of them, or their agent or agents, shall have been notified to open them by some fish warden.

Proviso.

Fine for willful neglect.

And the proprietors of any dam on said rivers who shall not comply with the provisions of this section, shall forfeit and pay the sum of twenty dollars for each and every day during which they shall willfully neglect to comply therewith, to be recovered in an action of tort to the use of any fish warden who shall sue for the same in any court of competent jurisdiction.

Penalty for violation, etc.

SECT. 11. Any person who shall violate any of the provisions of this act, or shall take any shad or alewives in the waters aforesaid, at any time, or in any manner, contrary to the provisions of this act, shall forfeit and pay a sum of not less than five, nor more than fifty dollars, to be recovered in an action of tort, in any court having jurisdiction, of either of the parties to such action, to the use of the person who shall sue for the same; or shall, upon complaint made before any justice of the peace having jurisdiction of the offence, and conviction thereon, be punished by fine not exceeding twenty dollars, and imprisonment not exceeding sixty days. And in any suit or complaint instituted under the provisions of this section, the right of appeal shall be had to the court of common pleas by either party in such action, or the defendant in such complaint.

SECT. 12. This act shall take effect from and after its passage; and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed. [*Approved by the Governor May 19, 1855.*]

Inconsistent
Acts repealed.

STATUTES OF 1863. CHAPTER 73.

AN ACT concerning the fisheries in Taunton Great River.

Be it enacted, etc., as follows:—

SECTION 1. The provisions of chapter four hundred and one of the acts of the year eighteen hundred and fifty-five, relating to the catching of shad and alewives in Taunton Great River, and the Nemasket River, are hereby extended to all waters connected with the Nemasket River, within the towns of Middleborough and Lakeville.

SECT. 2. It shall be the duty of the fish wardens chosen by the town of Middleborough under the provisions of chapter four hundred and one, section nine, of the acts of the year eighteen hundred and fifty-five, either personally or by the assistants by them appointed and employed, to use all needful care, watch and inspection, to prevent any violation of any of the provisions of said act, from a point one mile and a half below the dam at Squawbetty Village up to the waters of Asowompset Pond; the expense of which care, watch and inspection shall be paid by said town of Middleborough; and the other towns on said Taunton Great River shall annually pay to said town of Middleborough, for reimbursement for their share in the benefits to be derived by them for said care, watch and inspection, the sums following; the city of Fall River and the town of Freetown, ten dollars each; the towns of Somerset, Dighton, Berkley, and Raynham twenty dollars each; and the Town of Taunton thirty dollars. And the said Town of Middleborough may recover the same in an action of contract in any court of competent jurisdiction.

Duty of fish
wardens of
Middleboro.

Reimburse-
ment to Mid-
dleboro in part
—how appor-
tioned.

SECT. 3. Any person who shall beat upon the ground or do any act whatsoever whereby said fish in said rivers shall be disturbed, driven, destroyed or delayed, from the first day of March to the tenth day of June in each year, contrary to the meaning and intent of the provisions of chapter four hundred and one of the acts of the year one thousand eight hundred and fifty-five, shall be subject to all the pains and penalties named in the eleventh section of said act.

Penalty for de-
laying, etc.,
passage of fish
in the river.

SECT. 4. This act shall take effect upon its passage. [*Approved, March 12, 1863.*]

STATUTES OF 1866. CHAPTER 54.

AN ACT in addition to an act to regulate the fisheries in Taunton Great River and the Nemasket River.

City council of Taunton may sell rights to take fish.

The city of Taunton may hereafter sell its privileges of taking shad and alewives in Taunton Great River, under the direction of its city council, instead of at a legal meeting, to be held for that purpose, as required by the second section of chapter four hundred and one of the acts of the year eighteen hundred and fifty-five. [*Approved March 2, 1866.*]

STATUTES OF 1871, CHAPTER 258.

AN ACT to amend an Act to regulate the Fisheries in Taunton Great River and Nemasket River.

Be it enacted, etc., as follows:—

Time when fishing is permitted.

SECTION 1. So much of the fifth section of chapter four hundred and one of the acts of the year eighteen hundred and fifty-five as provides that no shad or alewives shall be taken in Taunton Great River above Berkley and Dighton Bridge, between the hours of twelve o'clock in the night following Thursday of each week and four o'clock on Monday morning succeeding, from the first day of March to the tenth day of June in each year, including both of said days, is hereby repealed.

SECT. 2. Whoever catches any shad or alewives either in the Nemasket or Taunton Great River at any other season of the year than between the first day of March and the fifteenth day of June, shall forfeit for each shad five dollars, and for each alewife twenty-five cents.

SECT. 3. This act shall take effect from and after the first day of July next. [*Approved May 9, 1871.*]

STATUTES OF 1875. CHAPTER 71.

AN ACT to amend an act to regulate the Fisheries in Taunton Great River and Nemasket River.

Fisheries regulated in Taunton Great River and Nemasket River.

Whenever any fishing privilege is hereafter offered for sale agreeably to the provisions of the second section of chapter four hundred and one of the acts of the year eighteen hundred and fifty-five, or any act in amendment thereof, if no offer of one hundred dollars or more is made for said privilege, the mayor and aldermen of the city, or the selectmen of the town offering the same for such sale, may refuse to accept any offer

less than said sum, and thereafterwards may sell or dispose of said privilege in such manner as will best promote the interests of said city or town. [*Approved March 27, 1875.*]

STATUTES OF 1876. CHAPTER 208.

AN ACT to regulate the Fisheries in Taunton Great River and Nemasket River.

SECTION 1. No shad or alewives shall be taken in any part of Taunton Great River or Nemasket River between the hours of twelve o'clock in the night following Thursday of each week and four o'clock on Monday morning succeeding, from the first day of March to the tenth day of June of each year, including both of said days. Fisheries regulated.

Section five of chapter four hundred and one of the acts of the year eighteen hundred and fifty-five, and chapter two hundred and fifty-eight of the acts of the year eighteen hundred and seventy-one, are hereby repealed.

SECT. 2. Not more than one seine shall be cast, set, swept or used on said rivers, within the same limits or over the same ground and at the same fishing place or location, nor shall any seine be cast, set, swept or used within forty rods of any other seine. Any person violating this section shall pay a fine of not less than fifty nor more than two hundred dollars, and whoever violates the provisions of the first section shall be liable to the penalties and forfeitures provided in said chapter four hundred and one of the acts of the year eighteen hundred and fifty-five. Not more than one seine to be used over the same ground.
Penalty.

SECT. 3. This act shall take effect on the first day of July next. [*Approved April 28, 1876.*]

STATUTES OF 1879. CHAPTER 83.

AN ACT for the better protection of the Shad and Alewife Fishery in Taunton Great River.

Be it enacted, etc., as follows :—

Any person who shall wilfully drive or stick any stake in or upon any fishing ground or privilege duly located in Taunton Great River, or who shall, by throwing into the waters thereof any substance or thing, or in any other manner, prevent, obstruct or impede any purchaser or purchasers of such ground or privilege or their agents from seining or fishing thereon at such time and manner as provided by law, shall for each offence be punished by a fine not exceeding ten dollars. Trespass on locations prohibited.
[*Approved February 28, 1879.*]

STATUTES OF 1873. CHAPTER 230.

AN ACT in relation to the Mill-Dams on Mill River, in the City of Taunton.

Be it enacted, etc. as follows:—

Release of liability for fish ways on Mill River.

Conditions.

SECTION 1. The owners of dams on Mill River, in the City of Taunton, are released from the existing liability to construct fish ways over or around said dams, for the term of twenty years; provided, they either shall pay to the town of Norton one thousand dollars within sixty days from the passage of this act; or if requested by said town, shall stock the ponds which are the headwaters of said river in the town of Norton, with black bass and land-locked salmon, to the satisfaction of the commissioners on inland fisheries, and within such time as said commissioners shall order. [*Approved April 24, 1873.*]

STATUTES OF 1853. CHAPTER 3.

AN ACT to incorporate the Taunton Gas Light Company.

Corporators.

Purpose.

Real estate.

Capital stock.

Authority in the public streets.

Proviso.

SECTION 1. Willard W. Fairbanks, William A. Crocker, and William Mason, their associates and successors are hereby made a corporation, by the name of the Taunton Gas Light Company, for the purpose of manufacturing and selling gas in the town of Taunton; with all the powers and privileges, and subject to all the duties, liabilities and restrictions, set forth in the thirty-eighth and forty-fourth chapters of the Revised Statutes.

SECT. 2. Said corporation may for the purpose aforesaid, hold real estate not exceeding in value fifty thousand dollars, and the whole capital stock shall not exceed one hundred thousand dollars.

SECT. 3. Said corporation with the consent of the selectmen of the town of Taunton, shall have power and authority to open the ground in any part of the streets, lanes, and highways in the said town, for the purpose of sinking and repairing such pipes and conductors as it may be necessary to sink for the purpose aforesaid; and the corporation, after opening the ground in such streets, lanes, and highways, shall be held to put the same again into repair, under the penalty of being prosecuted for a nuisance: provided, that the said selectmen, for the time being, shall at all times have the power to regulate, restrict, and control, the acts and doings of the said corporation, which may in any manner affect the health, safety and convenience, of the inhabitants of said town.

SECT. 4. No shares in the capital stock of said corporation ^{Shares.} shall be issued for a less sum or amount, to be actually paid in on each, than the par value of the shares which shall be first issued.

SECT. 5. This act shall take effect from and after its passage. [*Approved February 11, 1853.*]

The Taunton Gas Light Company also exercises its franchise in the public streets subject to the provisions of Public Statutes, Chapter 106, ss. 75, 77.

STATUTES OF 1870. CHAPTER 18.

AN ACT to incorporate the Taunton Street Railway Company.

SECTION 1. William C. Lovering, Henry G. Reed, Charles Albro, William Mason, Samuel Colby, Artemas Briggs, Hezekiah W. Church, their associates and successors, are hereby made a corporation, by the name of the Taunton Street Railway Company, with authority to build, maintain and use a street railway, beginning at some convenient point or points at Weir Village, in the City of Taunton, and running to City Square; thence through the Villages of Hopewell and Britanniaville, to some convenient point or points at Whittenton Village, in said city: with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in all general laws, which now are or hereafter may be in force relative to street railway corporations.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars.

SECT. 3. This act shall take effect upon its passage. [*Approved Feb. 12, 1870.*]

Under the provisions of Statute 1864, Chapter 229, Section 14, upon the application of the Taunton Street Railway Company, the Board of Aldermen passed the following order:

CITY OF TAUNTON.

IN BOARD OF ALDERMEN, May 17, 1871.

Ordered, that the track of the Taunton Street Railway Company shall be located as follows:—

Commencing in West Water street, opposite Weir Bridge and running a single track in the centre of said West Water street to Weir street; thence in the centre of Weir street to City Square; thence through City Square to Broadway; thence in the centre of Broadway to Bay street; thence in

Corporators.

Name and purpose.

Powers and duties.

Capital Stock.

Location, of May 17, 1871.

the centre of Bay street to Britanniaville street; thence in the centre of Britanniaville street to Warren street; thence on the easterly side of Warren street to Whittenton; thence in the centre of Whittenton street to Bay street; thence in the centre of Bay street to Britanniaville street and there join; with suitable sidings and turnouts, where the same may be necessary with a turn-table at each end of the route and at City Square.

Conditions.

The right to lay down this track is granted upon the following conditions:

First. Said Railway Company shall at all times after the rails are laid down keep in good order and complete repair at their own expense, that portion of all the streets through which the rails are laid, as provided by the Statutes of the Commonwealth; the laying of the rails and repairs to be done under the direction of the superintendent of streets and to the satisfaction of the mayor and aldermen.

Second. If hereafter directed by the mayor and aldermen, said Railway Company shall, at their own expense lay a rim-row of granite blocks outside and inside each rail of such dimensions and on such portions of the track as the Superintendent of streets shall determine.

Third. Whenever the city council shall order or authorize any portion of a street, through and in which the track of said Railway Company is laid, to be paved or macadamized, the expense of paving or macadamizing that portion of the street lying between the rails and that portion lying outside the rails adjacent thereto extending one foot, shall be paid by said Taunton Street Railway Company.

Fourth. Said Railway Company shall be governed by such regulations as the mayor and aldermen shall hereafter determine.

J. M. CUSHMAN, *City Clerk.*

Recorded by J. M. CUSHMAN, *City Clerk.*

Under the provisions of Public Statutes, Chapter 113, upon the petition of the Taunton Street Railway Company, the Board of Aldermen passed the following order:

CITY OF TAUNTON.

IN BOARD OF ALDERMEN, March 25, 1887.

Ordered, that the location of the tracks of the Taunton Street Railway Company be, and hereby is extended as follows, viz.:

**Location of
March 25, 1887.**

Commencing first at the junction of Winthrop and Cohanet streets at a point near the south easterly corner of "Taunton Green" and running a single track in the centre

of Winthrop street to the intersection of Winthrop and Highland streets, with suitable sidings and turnouts where the same may be necessary.

Commencing second at the junction of Weir street and Somerset avenue and running a single track in the centre of Somerset avenue to a point near the works of the Presbrey Stove Lining Co., with suitable sidings and turnouts, where the same may be necessary.

Conditions. The right to lay down these tracks is granted upon the following conditions: Conditions.

First. Said Railway Company shall at all times after the rails are laid down, keep in good order and complete repair at their own expense, that portion of all the streets through which the rails are laid under this order, as provided by the public statutes; the laying of the rails and repairs, to be done under the direction of the superintendent of streets, and to the satisfaction of the mayor and aldermen.

Second. If hereafter directed by the mayor and aldermen, said Railway Company shall, at their own expense lay a rim-row of granite blocks outside and inside of each rail, of such dimensions and on such portions of the tracks as the superintendent of streets shall determine.

Third. Whenever the city council shall order or authorize any portion of either of the streets, through and in which the track of said Railway Company shall have been laid under this order, to be paved or macadamized, the expense of paving or macadamizing that portion of the street lying between the rails, and that portion lying outside the rails adjacent thereto and extending one foot shall be paid by said Taunton Street Railway Company.

Fourth. Said Railway Company shall be governed, in constructing and in operating its tracks on the extended locations herein granted, by such regulations as the mayor and aldermen shall determine.

Adopted.

E. A. TETLOW, *Clerk.*

Approved March 26, 1887.

E. D. GODFREY, *Mayor.*

Recorded by,

EDWIN A. TETLOW, *City Clerk.*

The Taunton Street Railway Company operates its lines, under its charter and subject to the provisions of Public Statutes, Chapter 113 and the amendments thereof, over Main street, Weir street, Broadway and other streets, to Whittenton and by Britanniaville; Cohannet street, High street, Oak street, Highland street, Winthrop street, and other streets, extending to and through the Agricultural grounds, by extensions granted under divers orders of the board of aldermen, including those above cited, subject to such restrictions and regulations as that board may deem the interests of the public may require.

STATUTES.

IN FORCE BY VIRTUE OF THEIR ACCEPTANCE BY THE CITY COUNCIL.

PUBLIC STATUTES. CHAPTER 28.

SECTIONS 17, 18, 19, 20, 21, AND 23.

RELATING TO CITIES.

Section.

17. Vacancies in Board of Aldermen, how filled.
18. If Mayor is not elected, who to perform the duties.
19. Vacancies in city or ward officers, how filled.

Section.

20. Duties of ward officers.
21. Removal from ward not to disqualify city officers.
23. Mayor and members of City Council may hold certain other city offices.

Vacancies in board of aldermen.

SECTION 17. If, at or after the time for the mayor and aldermen to enter upon the discharge of their duties, it appears that the mayor or the full number of aldermen are not elected, such of said officers as are elected, shall issue warrants for the election of a mayor or of such aldermen as may be necessary. If neither of said officers is elected, the president of the common council shall issue such warrants.

Vacancy of Mayor.

SECT. 18. If by reason of non-election there is no mayor, the chairman of the board of aldermen shall discharge the duties of the office until a mayor is chosen and sworn.

Vacancies how filled.

SECT. 19. When it appears to the mayor and aldermen that there is a vacancy to be filled by popular election, either in their board, in the common council, or in a city or ward office, they shall issue their warrants for elections to fill such vacancy at such time and place as they deem advisable.

Duties of ward officers.

SECT. 20. Ward officers authorized to act at elections shall attend and perform their respective duties at the times and places appointed for elections of national, state, city or ward officers, and shall make and sign the regular returns of the same. If a ward officer is absent from a meeting, the office may be filled, *pro tempore*, by the voters present by nomination and hand vote, if they so determine.

Ward officers *pro tem*.

Removal to other wards no disqualification.

SECT. 21. City officers who were residents of the ward at the time of their election shall discharge the duties of their offices, notwithstanding their removal afterwards into any other ward of the city.

Mayor and members of city council shall hold no other office, of emolument.

SECT. 23. The mayor or any alderman or member of the common council of a city which has adopted this section, or the corresponding provisions of earlier statutes, may at the same time hold any other office under the city government to which he may be chosen, except one of emolument.

NOTE.

By Public Statutes, Chapter 28, Section 22, the first five sections above shall be in force in those cities only which have adopted said sections or the corresponding provisions of earlier statutes. The corresponding provisions, General Statutes, Chapter 19, Sections 6, 7, 8, 9, and 10 were adopted by

RESOLUTION.

“Resolved, that the sixth, seventh, eighth, ninth, tenth, and twelfth sections of the nineteenth chapter of the General Statutes be and the same hereby are adopted by the City of Taunton.” (Passed Aug. 30, 1865.) Adoption.

By the same resolution, General Statutes, Chapter 19, Section 12, corresponding to Public Statutes, Chapter 28, Section 23, was adopted, but by Statutes 1886, Chapter 117, “No member of the city council of any city in this Commonwealth shall be eligible, during the term for which he was chosen, to any office by appointment or by election of its city council or either branch thereof, the salary of which office is payable from the city treasury thereof.” Section 12 adopted, not in force.
Statute 1886 chapter 117 in force.

The provisions of section 23 no longer depend upon the adoption thereof by the city.

PUBLIC STATUTES. CHAPTER 50.

SECTIONS 20, 21, 22, 23 AND 24.

CONCERNING SIDEWALKS.

Section.

- 20. Mayor and Aldermen may grade sidewalks and assess half the expense on the abutters.
- 21. Sidewalks not to be obstructed without leave from aldermen.

Section.

- 22. Assessment of betterments.
- 23. Allowance by set-off of benefits.
- 24. One per cent. limitation not applicable.

Authority to establish sidewalks.

SECTION 20. In cities in which the City Council, and in towns in which the inhabitants have adopted the provisions of this and the following section, or of the corresponding provisions of earlier statutes, the mayor and aldermen or selectmen or road commissioners may establish and grade sidewalks in such streets as in their judgment the public convenience may require, and may assess the abutters on such sidewalks one-half the expense of the same, the residue being paid by such city or town. All assessments so made shall be a lien upon the abutting lands and be collected in the same manner as taxes on real estate.

Assessment of Betterments.

Sidewalks not to be obstructed.

SECT. 21. No sidewalk constructed or graded in a city or town shall be dug up or obstructed in any part thereof without the consent of the mayor and aldermen of the city, or of the selectmen or road commissioners of the town.

SECT. 22. In cities in which the city council, and in towns in which the inhabitants at an annual meeting, have adopted the provisions of chapter three hundred and three of the statutes of the year eighteen hundred and seventy-two, and of chapter one hundred and seven of the statutes of the year eighteen hundred and seventy-four, or of this and the following section, the mayor and aldermen, or the selectmen or road commissioners, may grade and construct sidewalks and complete partially constructed sidewalks in any street, as the public convenience may require, with or without edge-stones; and may cover the same with brick, flat stones, concrete, gravel, or other appropriate material; and may assess not exceeding one-half of the expense proportionally upon the abutters on such sidewalks; but no abutter shall be assessed a sum exceeding one per cent. of the valuation of his abutting estate as fixed by the last preceding annual assessment of taxes; and all assessments so made shall constitute a lien upon the abutting land, and be collected in the same manner as taxes on real estate. The mayor and aldermen, selectmen, or road commissioners, shall deduct from the assessment for sidewalks so constructed with edge-stones and covered any

sum previously assessed upon the abutting premises, and paid for the expense of the construction of such sidewalk in any other manner; such deduction shall be made proportionally from the assessments upon abutters, who are owners of estates in respect of which such former assessments were paid. Such sidewalks, when so constructed and covered, shall be maintained at the expense of such city or town.

SECT. 23. In estimating the damage sustained by the construction of sidewalks under the preceding section, there shall be allowed, by way of set-off, the benefit, if any, to the property of the party by reason thereof. Allowance in set-off of benefits.

SECT. 24. The provision of section twenty-two, limiting assessments to one per cent. shall not apply to any sidewalk constructed before the twenty-seventh day of April, in the year eighteen hundred and seventy-four, nor to any city unless the city council thereof has accepted the provisions of the two preceding sections or of chapter one hundred and seven of the statutes of the year eighteen hundred and seventy-four. One per cent. limitation not applicable.

NOTE.

The sections corresponding to sections 20 and 21, viz. General Statutes, Chapter 45, Sections 7 and 8, were adopted by the city council, March 29, 1865. Adoption.

Statute 1872, Chapter 303 was re-enacted in Sections 22, 23, and 24.

That statute was adopted by the city council, June 12, 1872, but the city has never adopted Statute 1874, Chapter 107 included in the above sections, and therefore the limitation to one per cent. of the valuation of the abutting estate does not apply to Taunton.

AS TO SHADE AND ORNAMENTAL TREES.

General Statutes, Chapter 46, Section 9, was adopted by the city council, February 27, 1867, and Statutes 1867, Chapter 247, was adopted by the city council, December 4, 1867. Adoption of Statutes as to shade and ornamental trees of no legal effect.

These statutes were incorporated into the Public Statutes, Chapter 54, Sections 9, 10, 11, and 12 and their adoption affirmed.

But by Statutes 1885, Chapter 123, Sections 9 and 12 of Chapter 54 of the Public Statutes are repealed, and a substitute statute (section one of said chapter 123) was enacted, which is in force without any act of adoption by the city; so that the adoption by the city of the statutes as to shade and ornamental trees is without legal effect since the enactment of Statute 1885, Chapter 123.

PUBLIC STATUTES. CHAPTER 101.

SECTIONS 1 TO 5 INCLUSIVE.

CONCERNING THE ABATEMENT OF NUISANCES.

Section.	Section.
1. Proceedings in removing dangerous buildings.	3. Powers and duties of jury.
2. Parties aggrieved may apply for jury.	4. Costs, by whom paid.
	5. Powers of aldermen to abate nuisances.
Adjudication.	<p>SECT. 1. In a city or town which adopts this and the four following sections, or has adopted the corresponding provisions of earlier statutes, at a legal meeting of the city council or inhabitants of the town, if the mayor and aldermen or selectmen, after due notice in writing to the owner of a burnt, dilapidated, or dangerous building, and a hearing of the matter, adjudge the same to be a nuisance to the neighborhood, or dangerous, they may make and record an order prescribing such disposition, alteration, or regulation thereof as they deem necessary; and thereupon the city or town clerk shall deliver a copy of the order to a constable, who shall forthwith serve an attested copy thereof upon such owner, and make return of his doings thereon to said clerk.</p>
Order.	
Service of order.	
Application for jury.	<p>SECT. 2. An owner aggrieved by such order may, within three days of the service thereof upon him, apply for a jury to the superior court, if sitting in the county, or to a justice thereof in vacation. The court or justice shall issue a warrant for a jury, to be impanelled by the sheriff within fourteen days from the date of the warrant in the manner provided in chapter forty-nine relating to highways; or instead thereof, if the applicant for a jury so elects, and after such notice as the court or justice shall order to the adverse party or parties, shall direct a trial to be had at the bar of the superior court, in the same manner as other civil cases are there tried by jury.</p>
Trial.	
Verdict of jury	<p>SECT. 3. The jury may affirm, annul, or alter such order; and the sheriff, if the trial is had before him, shall return the verdict to the next term of the court for acceptance; and the verdict, whether before the sheriff or in the superior court, being accepted, shall take effect as an original order.</p>
Judgment and costs.	
	<p>SECT. 4. If the order is affirmed, costs shall be taxed against the applicant; if it is annulled, the applicant shall recover damages and costs against the city or town; if it is altered in part, the court may render such judgment as to costs as justice shall require.</p>
Authority to abate nuisances.	<p>SECT. 5. The mayor and aldermen of a city or selectmen of a town shall have the same power and authority to abate and remove any such nuisance as are given to the board of health of a city or town in sections twenty-one, twenty-two and twenty-three of chapter eighty. [<i>Adopted by the City Council Nov. 3, 1869.</i>]</p>

PUBLIC STATUTES. CHAPTER 102.

SECTIONS 40 TO 48 INCLUSIVE.

STEAM ENGINES, FURNACES AND BOILERS.

Section.

40. Steam engine and furnace not to be used in certain cases without license.

41. Public notice of application for license etc.

42. Municipal officers may regulate furnaces, steam engines, etc.

43. Appeal and proceedings thereon.

Section.

44. Court may restrain use while appeal is pending.

45. Verdict of jury may affirm, etc., order, acceptance of verdict.

46. Recovery of costs.

47. Restrictions as to stationary engines.

48. Engines, etc., when common nuisance, etc.

SECT. 40. No furnace for melting iron or making glass, and no stationary steam engine designed for use in a mill for planing or sawing boards or turning wood, or in which any other fuel than coal is used to create steam, shall be erected or put up to be used in a city or town which adopts this and the eight following sections, or has adopted the corresponding sections of earlier statutes, at a legal meeting of the city council of the city or the inhabitants of the town called for that purpose, unless the mayor and aldermen or selectmen thereof have granted a license therefor, prescribing the place where the building shall be erected in which the steam-engine or furnace is to be used, and the materials and construction thereof, with such regulations as to the height of flues and protection against fire as they deem necessary for the safety of the neighborhood. Such license may be granted on a written application, and shall be recorded in the records of the city or town.

License for
furnaces and
stationary
steam-engines
required.

Regulations.

SECT. 41. Upon application for such license, the mayor and aldermen or selectmen shall assign a time and place for the consideration of the same, and cause at least fourteen days' public notice thereof to be given, at the expense of the applicant, in such manner as they may direct, in order that all persons interested may be heard thereon.

Hearing.

Notices there-
of.

SECT. 42. In a city or town which adopts sections forty to forty-eight inclusive, or has adopted the corresponding sections of earlier statutes, at a legal meeting of the city council of the city or the inhabitants of the town called for that purpose, the mayor and aldermen or selectmen, after due notice in writing to the owner of such steam-engine or furnace except for making glass, erected or in use therein before the time of such adoption, and a hearing of the matter, may adjudicate the same to be dangerous or a nuisance to the neighborhood, and make and record an order prescribing such rules, restrictions, and alterations as to the building in which the

Adjudication.

Order thereon.

Service of
order.

Returns.

Application
for jury.

Trial.

Injunction.

Verdict.

Judgment
and costs.

Licenses for
stationary
engines in cer-
tain cases.

Un-licensed
engines and
furnaces de-
clared a com-
mon nuisance.

Abatement.

same is constructed or used, the construction and height of its smoke-flues, with such other regulations as they deem necessary for the safety of the neighborhood; and the city or town clerk shall deliver a copy of such order to a constable, who shall serve on the owner an attested copy thereof, and make return of his doings thereon to said clerk within three days from the delivery thereof to him.

SECT. 43. An owner of a steam-engine or furnace who is aggrieved by such order may within three days after the service upon him of such order apply to the Superior Court, or a justice thereof in vacation, for a jury; and the court, or justice shall issue a warrant for a jury to be impanelled by the sheriff within fourteen days from the issuing of the warrant, in like manner as is provided in chapter forty nine in regard to the laying out of highways; or, instead thereof, if the applicant so elects, and after such notice as the court or justice shall order to the adverse party or parties, shall direct a trial to be had at the bar of the Superior Court, in the same manner as other civil cases are there tried by jury.

SECT. 44. The court or justice, on granting the application for a jury, may issue an injunction restraining the further use of such engine or furnace until the final determination of the application.

SECT. 45. The jury may find a verdict either affirming or annulling the order in full, or making alterations therein; which verdict shall be returned by the sheriff, if the trial is had before him, to the next term of the court for acceptance as in the case of highways; and the verdict whether before the sheriff or in the Superior Court, when accepted, shall take effect as an original order.

SECT. 46. If the order is affirmed, costs shall be recovered by the city or town against the applicant; if it is annulled, damages and costs shall be recovered by the applicant against the city or town; and if it is altered, the court may render such judgment as to costs, as to justice shall appertain.

SECT. 47. No stationary engine, propelled by steam or other motive power, shall be hereafter erected or put up for use in a city or town in which this section or chapter seventy-four of the statutes of the year eighteen hundred and sixty-two has been adopted in the manner provided in section forty of this chapter, within five hundred feet of a dwelling-house or public building, unless a license therefor has been first granted and recorded in the manner herein provided.

SECT. 48. A steam-engine or furnace erected or used contrary to the provisions of the eight preceding sections shall be deemed a common nuisance; and the mayor and aldermen or selectmen may remove the same in the same manner as boards of health may remove nuisances under sections twenty one, twenty-two, and twenty-three of chapter eighty.

NOTE.

General Statutes Chapter 88, Sections 33 to 40 inclusive, and Statutes Adoption. 1862, Chapter 74, corresponding to the foregoing Statutes were adopted by the city council February 27, 1867.

PUBLIC STATUTES. CHAPTER 104.

SECTIONS 1 AND 12.

CONCERNING THE PREVENTION OF FIRES.

Section.

1. Cities may make by-laws for the prevention of fires.

Section.

12. Injunction to restrain illegal construction, etc.

Authority to regulate construction etc., of buildings.

SECTION 1. With the exception of Boston, each city or town which has adopted chapter two hundred and forty-three of the statutes of the year eighteen hundred and seventy-two, or which adopts this section, may, for the prevention of fire and the preservation of life, by ordinances or by-laws not repugnant to law, and applicable throughout the whole or any defined part of its territory regulate the inspection, materials, construction, alteration, and use of buildings and other structures within its limits, excepting such buildings and structures as are owned or occupied by the United States or the Commonwealth, and excepting also bridges, quays, and wharves, and may prescribe penalties not exceeding one hundred dollars for each violation of such regulations.

Injunction.

SECT. 12. The supreme judicial court or a justice thereof, in term time, or vacation, may by injunction or other suitable process in equity restrain the construction, alteration, maintenance, or use of the building or structure in violation of any ordinance or by-law of a city or town, and may order the removal or abatement thereof as a nuisance; and may in like manner restrain the further progress of the construction, alteration, or repair of a building or structure reported to be unsafe or dangerous as provided in section six, until the determination of the matter as provided in section eight.

NOTE.

Adoption.

Statute 1872, Chapter 243, was adopted by the city council, May 1, 1872.

STATUTES OF 1888. CHAPTER 331.

AN ACT authorizing towns to regulate the catching of Pickerel.

Be it enacted, etc., as follows :—

SECTION 1. Whoever takes or catches any pickerel in any river, stream or pond in any other manner than by artificially or naturally baited hook and hand line shall forfeit one dollar for every pickerel so taken ; but this act shall not extend to any town unless adopted thereby.

Pickerel fishing regulated.

Penalty.

SECT. 2. All prosecutions under this act shall be instituted within sixty days from the time of committing the offence.

Limitation of prosecution.

SECT. 3. All acts or parts of acts inconsistent with this chapter are hereby repealed. [*Approved May 10, 1888. Adopted by the City Council June 23, 1890.*]

GENERAL STATUTES. CHAPTER 83.

AN ACT relating to Pickerel or Trout.

Pickerel and
trout fishing
regulated.

Penalty.

SECT. 2. Whoever takes or catches any pickerel or trout in any rivers, streams, or ponds, in any other manner than by hooks and lines, or takes or catches any pickerel, from the first day of December to the first day of May, shall forfeit one dollar for every pickerel or trout so taken, and if he is a minor, his guardian shall be liable to said forfeiture; but this section shall not extend to any town unless adopted thereby, nor shall it effect the statutes specially relating to the districts of Marshpee. [*Adopted by the City Council Dec. 23, 1868.*]

NOTE.

General Statutes Chapter 83, Section 2, requiring adoption was in part repealed by Statute 1869, Chapter 384, Section 26, but the provision as to the liability of minors and their guardians still remains by virtue of the adoption of that Chapter by the city as set forth in Public Statutes Chapter 91, Section 49.

REVISED ORDINANCES

OF 1891.

CITY OF TAUNTON.

IN THE YEAR

ONE THOUSAND EIGHT HUNDRED AND NINETY-ONE.

Be it ordained by the City Council of the City of Taunton,
as follows:—

CHAPTER I.

ASSESSMENT AND COLLECTION OF TAXES.

Section.

1. Organization of the board. Abatement of taxes.
2. Duties of the secretary. To report abatement of taxes to the city council.
3. Special duties of assessors, "Property Book."
4. Office hours.

Section.

5. Duties of assistant assessors.
6. Commitment of tax lists to collector, and public notice thereof.
7. Summons on delinquents. Interest after November 1st.
8. City treasurer, the collector of taxes. Report to the city council.

ASSESSORS.

SECTION 1. The assessors shall meet as soon as practicable, after the annual election of an assessor in each year, and organize as a board by the choice of a chairman and secretary, and in the transaction of all business by the board, a majority thereof shall be required; but no abatement of taxes shall be made except at a meeting of the board.

Organization revised charter section 12.

Abatement.

SECT. 2. The secretary shall have the care and custody of all books, papers, and documents belonging to the board, and shall deliver the same to his successor in office. He shall keep a record of all transactions of the board including the names of all persons whose taxes are abated or revised, the amount abated or revised and on what property the abatement is made, and the grounds therefor, in suitable books to be furnished by the city; and he shall report the same to the city council as it shall direct.

Secretary's duties.

SECT. 3. To obtain accurate knowledge of the polls and property to be assessed and to preserve a record of the same, one at least of the board of assessors, together with such of the assistant assessors, if any there be, as the board may designate, shall visit and examine the different estates in the city, and confer with the persons to be taxed therefor; but no assessor or assistant assessor shall assess or examine with reference to assessment any estate within the ward in which

Special duties of assessors.

he resides except in conjunction with some other member of the board not a resident thereof. It shall be the duty of the board to visit every part of the city at least once in five years, and in order to secure a just and complete revision of the taxable property in the city, a proportional part thereof shall each year be visited and appraised, and the estates both real and personal, so appraised shall be fully and carefully inventoried and scheduled. All plans, descriptions and minutes made of any assessed real estate shall be preserved and entered into a city book, to be known as the "Property Book," and the board is authorized to direct and supervise the drafting of plans and schedules of real estate for said "Property Book," and the city council shall annually provide for the expense and service necessary and proper to make a full and complete inventory of the real estate in the city with the plans thereof as set forth in this ordinance.

"Property Book."

Office hours.

SECT. 4. One member at least of the board shall be in attendance at the office of the board from two o'clock until five o'clock in the afternoon of each day from the first day of September until the first day of November, and shall receive all applications for abatement and other matters appertaining to taxes, to be acted upon by the full board.

Assistant assessors' duties.

SECT. 5. It shall be the duty of the assistant assessors, when chosen, to assist the assessors in any matters relating to their duties, whenever requested thereto, and the board shall designate any special duty, as occasion may require.

Commitment of tax lists to collector.

SECT. 6. The board shall on the first day of May, or as soon thereafter as practicable, assess all taxes in the manner prescribed by law, and shall complete the assessment of taxes and commit the lists of taxes with their warrant for the collection thereof to the collector on or before the first day of September in each year; and public notice of the commitment thereof, with the rate of discount, if any, which the city council may by order determine, shall forthwith be made by posting said notice in one or more public places within the city, and by publishing the same in such newspapers published in the city as the board shall direct.

Public notice thereof.

COLLECTION OF TAXES.

Summons to delinquents.

Revised charter section 12.

Service.

Collection enforced.

SECT. 7. The collector, if any taxes are not paid on or before the first day of November, which is hereby fixed as the day on or before which all taxes shall be paid, shall forthwith issue a summons demanding the payment thereof, which summons shall be forthwith served upon each delinquent by the collector or any constable, chief of police or police officer of the city, either personally or by leaving the same at his last and usual place of abode, and twenty cents shall be added to said tax after said summons has issued for the same. And if the tax and twenty cents additional are not paid in ten days

after the service of said summons, the collector shall forthwith collect the same according to law, adding interest at the rate of seven per centum per annum upon the tax remaining unpaid after said first day of November. Interest.

SECT. 8. The city treasurer shall be the collector of taxes and of all other sums of money due the city, the collection whereof is not otherwise specially provided for, and shall annually in the month of January and whenever so required by the city council, report to said council a list of taxes remaining unpaid, and the reasons why the same remain uncollected. City treasurer
to be collector.
Report.

CHAPTER II.

CONCERNING BURIAL GROUNDS.

Section.

1. Election of superintendents of burial grounds, and their compensation.
2. General duties.
3. Burials regulated.
4. Removals regulated.
5. Superintendents' records.
6. Deeds and price of burial lots.
7. Deposit funds for care of burial lots. The treasurer's certificate of deposit.

Section.

8. Accounts of deposits and interest thereon.
9. Expenditure of income.
10. Undertakers to be licensed; the management of funerals forbidden to others.
11. Notice of death to be given to some licensed undertaker.
12. Trespassing on burial grounds prohibited.
13. Penalty for trespass.

Election of superintendents.

SECTION 1. At the commencement of each municipal year and whenever a vacancy occurs, there shall be elected by joint ballot one or more superintendents of burial grounds, who shall hold their office during the pleasure of the city council, and receive such compensation as said council shall determine.

Duties.

SECT. 2. Said superintendents shall, subject to the general direction and supervision of the joint standing committee on burial grounds, take charge of the burial grounds over which they are respectively appointed, may assign lots not otherwise lawfully appropriated or assigned, to persons and families, shall see that all enclosures or fences erected about separate lots conform to the boundaries thereof, shall detect and prosecute persons trespassing upon or desecrating said grounds or violating any ordinance, order or regulation of the city or of the board of health relating thereto, and have charge of the digging of graves and interments therein; and shall execute and enforce such orders relating thereto as the city council may from time to time adopt.

Prosecution of trespassers.

Burials.

SECT. 3. All burials shall take place between sunrise and sunset, unless otherwise authorized by the board of health, and the top of every coffin, deposited in the ground, shall be at least three feet below the usual surface thereof; and no person shall bury or remove the body of a deceased person in any public burial ground except under the supervision of the superintendent thereof.

Removals.

SECT. 4. Whenever a dead body shall be removed from the place of its original or any subsequent interment to another place in the city, or shall be removed from the city, the undertaker or other person having charge of such removal shall within seven days thereafter notify the city clerk in writing thereof, giving the name of the person whose body is removed and the place from which, and to which, the body is removed, and the city clerk shall make an entry of such removal with the record entry of the death of such person upon his records.

City clerk's record.

SECT. 5. The several superintendents of the public burial grounds shall keep a record of each burial and removal in their respective grounds, stating the date of death and name of the deceased, age, former residence and occupation, place of death, disease or cause of death, the specific location of burial and removal and the date thereof, in a book entitled "The Record of Burials," to be provided by the city.

Superintendents' record.

SECT. 6. The deeds of lots in the Mayflower Hill Cemetery shall be in the form heretofore in use until otherwise ordered, but the price of lots unsold may be varied from time to time as the city council may determine.

Deeds of lots.

Price.

SECT. 7. Any person holding, occupying or interested in any lot in a public burial ground in the city, may deposit with the city treasurer any sum of money not exceeding five hundred dollars, which sum so deposited shall be entered upon the books of the city treasurer and forever held as a fund, the principal whereof shall not be expended, in accordance with the following sections of this chapter, and such laws of this Commonwealth, now or hereafter to be enacted relative thereto. The person making such deposit shall, at the same time designate in writing the name of the cemetery in which the lot to be cared for is located, the number and specific location of such lot, and the name of the person in whom the right or title thereof stands; and the city treasurer shall deliver to such depositor a certificate of deposit setting forth the same and the purposes of said deposit.

Deposit for care of lots.

Certificate of deposit.

SECT. 8. A separate account shall be kept with each deposit thus made and upon every such deposit there shall be allowed and paid from the annual interest appropriation, interest at the rate of four per centum per annum, and the city treasurer shall semi-annually, on the last days of May and November in each year credit each deposit so made with the amount of interest due as above stated.

Deposit account.

Interest.

SECT. 9. The income of each deposit shall be expended under the direction of the committee of the city council having charge of public burial grounds for the time being, in providing for the preservation and care of the lot designated in the certificate of deposit, or the appurtenances thereto belonging, as provided in section seven of this chapter.

Expenditure of income.

SECT. 10. The mayor and aldermen shall annually on or before the first day of July, license a suitable number of undertakers to take charge of the funeral rites preliminary to the interment of human bodies, and all persons not licensed as undertakers are hereby forbidden to undertake the management of a funeral.

Undertaker's license.

SECT. 11. Upon the decease of a person within the limits of the city, it shall be the duty of the nearest relative or of the person in whose house the death may occur, or in default thereof, of any other person who may have been first informed of the event, to cause the same to be made known to some licensed undertaker as soon as practicable.

Notice of death to undertakers.

Trespass on
burial grounds.

SECT. 12. No person shall wilfully enter upon or pass over the grounds of the Plain Burying Grounds, the Mayflower Hill Cemetery or of the Oakland Cemetery, other than the walks and paths laid out therein for travel, except such portion thereof as may be owned or occupied by him for burial purposes, without the consent of the superintendent thereof.

Penalty for
trespass.

SECT. 13. Whoever violates section twelve of this ordinance shall forfeit and pay for each offence a fine not exceeding twenty dollars.

CHAPTER III.

CONCERNING CLAIMS.

Section.

1. Appointment of committee on claims. General powers. To act with the city solicitor.

Section.

2. Authority to settle and adjust claims. Report to the city council.

SECT. 1. There shall be appointed annually in the month of January a joint standing committee on claims, to consist of the mayor, one alderman and three members of the common council. The members of said committee shall be appointed by that branch of the city council to which they respectively belong, according to the rules and orders thereof. Said committee shall have full power and authority to investigate all claims against the city which may be referred to them, except when otherwise ordered or provided for, and shall, unless the city council otherwise order, adopt such measures in conjunction with the city solicitor, as they deem expedient for the defence of the city in any proceeding at law or equity growing out of such claims.

SECT. 2. Said committee are authorized, with the approval of the city solicitor, to settle and adjust any such claim which does not exceed in amount the sum of three hundred dollars, at any time before the return day of a summons duly served upon the city in the matter of such claim; and shall at the next regular meeting of either branch of the city council report the terms upon which such claim has been adjusted.

CHAPTER IV.

CONCERNING THE DRAW-BRIDGE AT THE WEIR.

Section.	Section.
1. Fast driving across Weir Bridge prohibited.	2. Penalty therefor.
	3. Posting of ordinance at the bridge.

Fast-driving
prohibited.

SECTION 1. No person shall ride or drive any horse or horses on or over the draw-bridge across Taunton Great River at the Weir Village at a rate faster than a walk.

Penalty.

SECT. 2. Any person violating the provisions of this ordinance shall forfeit and pay a penalty of one dollar for each offence.

Penalty of
ordinance.

SECT. 3. There shall be kept posted up conspicuously at each end of said bridge a white board containing in black letters the foregoing sections, and the superintendent of streets shall see that the provisions of this chapter are enforced.

CHAPTER V.

CONCERNING FINANCE, ACCOUNTS, EXPENDITURES.

Section.

1. Appointment of committee on finance. A record of their proceedings to be kept. Report.
2. Annual estimate in print to be made for appropriations.
3. Monthly statement of expenditures and balances.
4. Municipal year; financial year; estimate of the amount required for December to be reported during the previous November.

Section.

5. A detailed statement of annual expenses with schedules of city property and debts, to be made in December and published.
6. Auditing of the accounts of the city treasurer with report thereon.
7. The negotiation of loans and issuing of notes.
8. A record to be made by the city clerk of all bonds and notes now outstanding and hereafter issued.

ACCOUNTS.

Section.

9. Appointment of committee on accounts and their duties.
10. To allow no account unless properly certified.
11. City clerk to be clerk of the committee, and his duties. The committee to report when ordered.
12. Allowance of bills prior to the regular appropriation resolution.
13. All bills of expense incurred to be filed before noon on the first Tuesday of each month with city clerk.
14. Payrolls for wages to be filed with the city clerk before noon on Tuesday of each week.
15. The city treasurer to be notified of payments to be made under contracts. A sufficient sum set apart to pay the same from specified appropriation.
16. Treasurer's books; notice to city council when appropriations are expended; to report when requested.

Section.

17. The city treasurer to notify the city clerk of principal and interest of any note before due; the mayor to draw a warrant on city treasurer; same may be then paid without action of the committee on accounts; interest on notes may be paid when same is negotiated.
18. The city clerk's record of warrants; semi-annual examination of same by the committee on accounts, and cancellation thereof; compensation allowed by committee on finance for service.
19. Payment of all claims allowed; no payment if the appropriation is exhausted. Certain claims to be paid without the action of the committee.
20. Collections by the treasurer from city officers and other persons. Disbursements restricted.
21. Collection of bills by the city treasurer, on demand and by suit.

COMMITTEE ON FINANCE.

SECTION 1. There shall be appointed at the commencement of each municipal year a committee on finance consisting of the mayor, one alderman, the president and four members of the common council. Said committee shall appoint one of their number as clerk thereof who shall keep a record of all their proceedings in books furnished by the city. The finance committee shall also consider and report to the city council on all matters relating to the finances of the city.

SECT. 2. The committee on finance shall annually as soon as may be after their appointment prepare and lay before the city council a printed estimate in detail of the amounts necessary to be raised for the current financial year under the various heads of appropriations and the ways and means of raising the same.

SECT. 3. The committee on finance shall each month cause to be prepared a statement showing the amount of the various

Appointment.

Clerk, record.

Report.

Annual estimate for appropriations.

Monthly statement.

appropriations at that time, the amount expended of each appropriation, and the balances remaining unexpended. The amounts of all audited bills, and of all orders drawn by the mayor for the payment of money, shall be included in such statement, and a copy thereof shall be furnished each member of the city council.

Municipal year **Financial year.** **December estimate.** **Annual December statement.** **Schedules.** **Auditing of treasurer's accounts.** **Financial exhibit.** **Report.** **Negotiation of loans.** **Issue of scrip.** **Clerk's record of bonds and notes.**

SECT. 4. Each municipal year shall commence on the first Monday in January, and each financial year shall commence on the first day of December, and terminate on the thirtieth day of November; and the accounts and books of the city shall be made up to correspond thereto. The finance committee shall annually on or before the second Monday of November prepare and lay before the city council an estimate in detail of the amount required for the ensuing December and the ways and means of raising the same.

SECT. 5. The committee on finance shall annually in the month of December prepare and lay before the city council a particular statement of the receipts and expenditures of the preceding year, giving in detail the amount of appropriation and the expenditure in each department; said statement shall be accompanied by a schedule of the property, real and personal, belonging to the city, with the value thereof, and also a schedule of the city debt, and when approved by the city council shall be published as the council directs.

SECT. 6. The committee on finance shall annually at the close of the municipal year, and oftener if they deem it expedient, examine or cause to be examined and audit the accounts of the city treasurer and collector for the preceding financial year, the accounts of the municipal and water loan sinking funds, and the trust funds of the city; and for that purpose shall have access to all books and vouchers in his possession or in that of any other officer of the city; they shall compare said accounts with the vouchers therefor and shall ascertain whether all moneys due the city have been collected and accounted for and if not, the reasons therefor; they shall also examine all notes and securities belonging to the city in the hands of the treasurer or other officers of the city, and shall furnish an exhibit of loans or debts due from the city bearing interest, and the times when payable, and a statement of the ordinary and extraordinary expenditures of the year, and shall make full report thereof to the city council.

SECT. 7. All loans authorized by order of the city council shall be negotiated by the joint standing committee on finance and all notes or bonds which shall be issued hereafter by authority of the city council shall be signed by the city treasurer in behalf of the city, and shall be approved by a majority of the committee on finance, of which majority the mayor and the president of the common council shall always constitute a part.

SECT. 8. The city clerk shall make forthwith a record of all bonds now outstanding in a book to be provided for the

purpose which record shall state the number, date, amount, rate of interest, date when payable, where payable, the purpose and authority of the issue, and when registered, and the name of the payee; he shall also record in like manner all notes and bonds which may be hereafter issued, and shall certify on each note or bond hereafter issued that it is so recorded. All bonds shall bear the impression of the city seal.

ACCOUNTS.

SECT. 9. There shall annually be appointed a joint standing committee on accounts to consist of two aldermen and three members of the common council: said committee shall meet at the city hall on Tuesday of each week to audit and examine the pay rolls of the city laid before them and such bills as the overseers of the poor shall file with it for immediate approval, and whenever they deem it expedient, but at least once in every month, to audit, examine and decide on all other accounts and claims against the city laid before them; and if the same be found correct and justly due, they shall approve and allow the same in writing and certify thereon from what fund or appropriation they shall be paid, and all accounts and claims so approved and allowed shall be forthwith entered in the office of the city clerk.

Appointment
of committee.

Duties.

SECT. 10. No account or claim against the city other than judgments against the city, or interest or principal due on a note or bond of the city, shall be received or acted upon by said committee unless accompanied by a certificate of the officer, committee or agent duly authorized on behalf of the city to make the contract or cause the expenditure to be made, stating that the same is correct.

Certifying of
accounts.

SECT. 11. The city clerk shall be clerk of the committee on accounts and shall receive all accounts and claims against the city, shall carefully examine the same, see that they are correctly cast, and present the same neatly folded, filed and labeled to the committee on accounts for examination. He shall under the direction of the committee on accounts keep a book wherein he shall enter the account or claim allowed, the name of the person to whom allowed, the date of the allowance and the fund or appropriation from which the same is payable; after which he shall forthwith transmit the same to the city treasurer for payment; and said committee shall when requested by the city council or either branch thereof report the whole amount of accounts and claim so allowed.

Clerk of com-
mittee.

Duties.

Record book.

Report of
treasurer.

Committee's
report.

SECT. 12. The committee on accounts may allow bills for the months of January, February, March and April or until the regular appropriation resolution is passed on account of the usual departments, not to exceed for each of said months, one twelfth of the appropriation for the preceding year for said department, and the city treasurer may pay the bills so allowed. Nothing contained herein shall prevent the payment of the full amount of interest due upon the city debt.

Allowance of
bills before
regular appro-
priation.

Payment of
interest.

Filing of bills with clerk. **SECT. 13.** All persons, committees or departments authorized to incur expense in behalf of the city, shall file in the office of the city clerk, at or before twelve o'clock noon on the first Tuesday of each month, all bills against the city then due, incurred by said persons, committees or departments, which bill shall before such filing be duly approved in accordance with the requirements of the ordinance in such case made and provided.

Vouching of bills.

Filing of pay-rolls.

SECT. 14. Committees, heads of departments or other persons authorized or required by law to approve payrolls for wages or salaries due from the city, shall file in the office of the city clerk at or before twelve o'clock noon of Tuesday of each week duly certified payrolls of such wages and salaries to include the week ending the Saturday preceding.

Notice to treasurer of contract calls.

SECT. 15. Whenever a contract shall be entered into, in behalf of the city by any person or committee duly authorized thereto, it shall be the duty of said committee to forthwith notify the city treasurer of the amount to be paid under said contract, and the city treasurer shall thereupon set apart from the appropriation specified, a sufficient sum to pay the amount due under said contract when the same becomes payable, and no expenditure shall be charged to such sum thus set apart, except in payment of said amount due under said contract.

Limitation to appropriation.

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CITY TREASURER.

Treasurer's books.

SECT. 16. The city treasurer shall keep in a neat and methodical manner a complete set of books, under the direction of the committee on accounts, wherein shall be entered the various appropriations made by the city council, each under its appropriate head, and charge to each the different payments and expenditures made thereon, and whenever any specific appropriation is expended, he shall forthwith notify the mayor and city council and the committee on accounts. He shall whenever required by the city council, furnish a statement of the treasury and such matters in relation thereto as may be specially ordered.

Notice of expended appropriation.

Notice to city clerk of payments on bonds and notes.

Clerk's certificate to mayor.

Warrant for payment.

Payment of interest on discounts.

SECT. 17. At least seven days before the principal or interest of any note or bond shall be payable, the city treasurer shall furnish the city clerk with a written statement of the amount of the principal or interest so payable and the time when due: if this statement is found to be correct, the city clerk shall so certify thereon, and shall at once forward the same to the mayor, who shall thereupon draw his warrant upon the city treasurer for the payment of the said principal or interest, and the city treasurer may pay said principal or interest without the action or authority of the committee on accounts. The interest of any note which may be discounted may be paid by the city treasurer at the time the loan is made, and the city treasurer shall take a receipt in due form for said interest or discount and after approval by the mayor it shall be allowed in the treasurer's account.

SECT. 18. The city clerk shall keep a record of all warrants drawn in accordance with this ordinance, and the city treasurer shall twice in each year, in the months of July and November, deposit with the committee on accounts for examination, all coupons and receipts for interest, together with such notes and bonds as have been paid by authority of any warrant. The city clerk shall after the examination by the committee on accounts and by order of the said committee, stamp all coupons, receipts, notes or bonds with these words "Examined and cancelled" with the date of said examination and cancellation, and after recording the same shall return the originals to the city treasurer. The committee on finance shall allow such extra compensation as it may deem just and proper to carry into effect the provisions of sections 8 and 17 of this ordinance, and the bills therefor, after approval by the committee on finance shall be allowed and paid from the appropriation for incidentals.

Record of warrants.

Semi-annual examinations.

Cancellation of paid notes and bonds.

Compensation.

SECT. 19. The city treasurer is hereby authorized to pay all accounts and claims allowed and approved by the committee on accounts, and shall pay no claim or account not so allowed; nor shall he make any payment on account of any department beyond the sum appropriated by the city council for that department, provided however, that upon the order of the mayor, any claim which has been settled and adjusted by the committee on claims under any ordinance prescribing the powers and duties of said committee on claims or under any special order of the city council with reference thereto, or any claim for the satisfaction of a judgment rendered against the city, or the interest or principal of a city debt, may be paid without the action of the committee on accounts. The city treasurer shall within six days after Saturday of each week pay the sums allowed and approved by the committee on accounts on the payrolls of the city, to the persons entitled to the same.

Payment of accounts and claims.

Payments of judgments and interest on city debts.

SECT. 20. All officers of the city who receive in their official capacity any money on account of the city shall pay the same to the city treasurer once in each month and oftener, if so required by him. All other persons who have in their hands any money belonging to the city shall forthwith pay the same to the city treasurer; and it shall be the duty of the treasurer to promptly collect all sums due the city from such officers and other persons. The city treasurer shall not pay out or disburse any money belonging to the city, or held by him in his official capacity, except in accordance with the provisions of these ordinances, unless expressly required so to do by the law of the Commonwealth, or by some other ordinance, resolution or order of the city council.

Monthly accounts to treasurer.

Collecting by treasurer.

Disbursements restricted.

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SECT. 21. Whenever any bill or claim other than an assessment duly laid, shall be filed with the city treasurer for collection, he shall forthwith forward a bill by mail to the ad-

Mode of collection by demand.

dress of the payor; if said bill shall remain unpaid at the expiration of sixty days thereafter, he shall notify the committee on finance thereof, and shall furnish the said committee with a memorandum of such facts in connection with the bill or claim as he may possess. The committee may authorize the city solicitor to bring suit in the name of the city for the collection of all such unpaid bills or claims so reported.

By suit.

CHAPTER VI.

CONCERNING THE FIRE DEPARTMENT AND FIRES.

Section.

1. Appointment of committee on fire department.
2. Composition of the fire department.
3. Election of chief engineer and three assistants, and their compensation. Removals from office how effected.
4. Form of engineers' certificate.
5. Organization of the board of engineers; rules and regulations; general duties of assistants; report of assistants to the chief; his record thereof.
6. Duties of engineers at fires.
7. Duties of chief engineer enumerated. Compensation of drivers; expense of permanent horses.
8. Dancing in and use of engine houses regulated.
9. Composition of companies; appointment and removal of members; limitations of age.
10. Composition of volunteer companies; appointment and removal of members.
11. Duties of captains; to keep rolls of members and property, and report to chief engineer.
12. Duties of captains at fires.
13. Badges of engineers and firemen to be worn at fires; wearing by others prohibited.
14. Chief to report firemen disabled at fires.
15. Neglect of duty to be reported; penalty.

Section.

16. Prosecution by chief for causing false alarms.
17. Firemen to be residents; removal from the city to vacate membership.
18. Attendance at fires in neighboring towns regulated.
19. Demolition of buildings by engineer in command.
20. Members exempt from jury service.
21. Fire limits defined for erection of wooden buildings; construction regulated.
22. Moving of wooden buildings into or within and rebuilding the same within fire limits regulated.
23. Engineers to have control over combustibles; penalty for interruption.
24. Use of engine houses by members; use of intoxicating liquors and gambling therein prohibited.
25. Vacancies in companies; how filled.
26. Authority of committee on fire department over fire alarm telegraph.
27. Election of superintendent of fire alarm telegraph; vacancy, how filled; salary.
28. Duties of superintendent.
29. Injuries to and interruption of fire alarm telegraph prohibited.
30. Penalties for violation of this chapter; fines to be paid into city treasury.

SECTION 1. There shall be appointed at the beginning of each municipal year, a committee on fire department, consisting of two aldermen and three members of the common council.

Appointment of committee. revised charter sec. 15.

SECT. 2. The fire department shall consist of a chief engineer, three assistant engineers, and as many captains, lieutenants, enginemen, assistant enginemen, hosemen and ladder-men, to be divided into companies, and of as many drivers and employees as the number of engines, hose carriages, hook and ladder trucks and the quantity of other fire apparatus belonging to the city shall from time to time require.

Composition of fire department.

SECT. 3. There shall be chosen by the city council, by ballot in convention in January or as soon after as may be, a chief engineer, who shall hold his office for four years, and three assistant engineers whose respective rank shall be then designated, and who shall hold their offices for one year, and until others are chosen in their places. Vacancies may be filled in like manner for an unexpired term. The engineers and other officers and members shall receive such compensa-

Appointment of board of fire engineers.

Term of office.

Compensation.

Removal. tion as the city council shall determine. The city council may by a concurrent vote at any time remove from office the chief engineer or any assistant engineer; and the mayor and aldermen may at any time discharge any and all the officers or members of either of said companies.

Form of engineer's certificate of office. SECT. 4. Each engineer shall upon his election receive a certificate in the following form :

CITY OF TAUNTON.

This certifies that _____ is elected engineer (or chief engineer) of the fire department of the city of Taunton and is invested with all the powers belonging to said office.

Given under my hand this ____ day of _____ A. D. 18—
_____, Mayor.

_____, City Clerk.

Organization of the board revised charter sec. 15. SECT. 5. The engineers so chosen shall meet and organize themselves into a board of engineers, a majority of whom shall form a quorum, and of which the chief engineer or in his absence the engineer next in rank present, shall be the presiding officer; they may appoint a secretary and such other officers, and make such rules and regulations for their own government, as they may see fit; they shall be responsible for the discipline, good order and proper conduct of the whole department, both officers and men, for the care of all houses, reservoirs, engines, wells, hose carriages and other furniture and apparatus thereto belonging; they shall have the superintendence and control of all engine houses and other buildings used for the purpose of the fire department, and of all furniture and apparatus thereto belonging, and of the engines and all other fire apparatus belonging to the city, and over the officers and members of the several companies attached to the fire department, and over all persons present at fires; and they may make such rules and regulations for the better government, discipline and good order of the department, and for the extinguishment of fires, as they may deem expedient, the same being not repugnant, to the laws of the Commonwealth, or to any ordinance of the city; but such rules and regulations shall be approved by the city council before taking effect as such. The assistant engineers shall report to the chief engineer whenever absent from a fire and the reasons therefor; and the chief engineer shall keep a record of the same.

Secretary.

Duties of the board.

Rules and regulations.

Report of assistants' to chief.

Record.

Duties of engineers' at fires. SECT. 6. It shall be the duty of the chief engineer and such assistant engineer as he shall designate whenever a fire breaks out in the city, forthwith to repair to the place of such fire, wearing the badge of their office; to take proper measures that the several engines and other apparatus are arranged in the most advantageous situations, and worked for the most effectual extinguishment of the fire; to require and compel the assistance of all persons though not members of

the fire department, in extinguishing the fires, removing furniture, goods or other merchandise from any building on fire, or in any danger thereof, and in guarding and securing the same; and also in pulling down and demolishing any house or building if occasion requires, and in suppressing all tumults and disorders at fires; they shall also cause order to be preserved in going to, working at, or returning from fires, and whenever any of the department are on duty.

SECT. 7. The chief engineer shall have the sole control at fires over all other engineers, all members of the fire department, and all other persons present at fires, and shall direct all proper measures for the extinguishment of fires, the protection of property and preservation of order thereat, and the observance of laws, ordinances and regulations respecting fires and in his absence, the engineer next in rank who is present shall execute the duties of his office with full powers of chief engineer; and the officer in command of the company which first arrives at a fire, shall be the officer in command with like powers, until one of the board of engineers is present. The chief engineer shall be responsible in the first instance for the condition of the engines, reservoirs and all other fire apparatus, the engine houses and other buildings used by the fire department, and shall make full report thereof annually to the city council, and at such other times as the city council may order, with such recommendations in reference thereto as may in his judgment tend to the efficiency of said department, and he shall provide for all necessary repairs and alterations of engines and other apparatus and equipments, and for all apparatus, materials and supplies that may be required, under the supervision of the committee on fire department; but he shall not expend in any single instance a greater amount than two hundred dollars without an order from the committee on fire department, nor a greater amount than five hundred dollars without an order from the city council. He shall in his annual report and at such other times as the city council may order transmit all returns made by the respective companies as herein required; he shall keep exact rolls of the respective companies, specifying the date of the admission and discharge and the age of each member; he shall keep a full record of all fires happening during the year in the city with the probable or known cause thereof and the number of fires and description of buildings destroyed or injured thereby, with the names of the owners or occupants, and the amount of loss or damage thereby and of insurance thereon. He shall have the general control of the engine houses and all property therein relating to the fire department. He shall appoint the engineers in charge thereof, subject to the approval of the board of aldermen, and shall for cause remove said engineers subject to the approval of said board of aldermen. The permanent horses used in the fire department shall be under his sole control

Duties of chief engineer.

Annual report

Authority to expend for repairs and supplies.

Limitation.

Rolls of members required.

Record of fires' losses, insurance.

Control of property.

Appointments.

Permanent horses and drivers.

Compensation of drivers.	and direction, and he shall appoint the drivers thereof with the approval of the committee on fire department, and shall discharge such drivers from service in the department when unfit in his judgment for service therein. The compensation of such drivers shall be fixed by the committee on fire department subject to the approval of the city council. All other city horses when required for use in the fire department shall be under his sole control and direction; and he may make all rules and regulations for the horses and drivers thereof as he may deem expedient, subject to the approval of the standing committees on fire department and on streets. The cost of permanent horses, the expense of keeping including harnesses and other like equipments, and the compensation of the drivers shall be paid from the appropriation for the fire department, excepting the expense of keeping such permanent horses as may be located at the city stable, which expense shall be paid from the appropriation for the city stable.
Regulations for horses and drivers.	
Expense for horses and drivers.	
Dancing in, use of houses regulated.	SECT. 8. Dancing shall not be allowed in the city engine houses, except by special permission of the board of engineers; but said engine houses may be used as ward rooms and for such other public purposes as the board of engineers may determine.
Composition of companies.	SECT. 9. Each steam fire engine company, excepting number four engine company, shall consist of twelve men, including captain, lieutenant and engineer; number four engine company shall consist of ten men, including captain, lieutenant and engineer; each horse hose company shall consist of ten men including captain and lieutenant; hook and ladder company number one shall consist of thirteen men including captain and lieutenant; hook and ladder company number two shall consist of ten men including captain and lieutenant; volunteer hose companies shall consist of twelve men including captain and lieutenant. The appointment and removal of the officers and members of such companies shall be made by the chief engineer subject to the approval of the mayor and aldermen; but no person under eighteen years of age shall be a member of the fire department, and not more than one half of any company shall be under twenty-one years of age.
Appointment and removal of members.	
Qualifications.	
Composition of volunteer companies.	SECT. 10. Each volunteer engine or hose company shall have a captain, a lieutenant, a clerk and a steward and may have a treasurer. They shall be chosen by the company subject to the approval of the board of engineers and shall hold their places until removed or others are chosen in their stead.
Appointment and removal.	
Captains' duties.	SECT. 11. The captains shall see that the several engines and apparatus committed to their care, and the several buildings in which they are deposited and all things appertaining thereto, are neatly kept, and are fully efficient for immediate use. They shall preserve and enforce order and discipline at all times in their respective companies and a strict compliance with the ordinances of the city and the rules and regulations of the department and of the board of engineers. They shall

keep or cause to be kept fair and exact rolls of members specifying the date of admission and discharge and the age of each member, and also a record of all city property in the care of the several members, and of all absences or neglect of service among the same, in books to be provided by the city, which shall always be open to inspection and subject to the order of the board of engineers, and the mayor and aldermen. They shall also make to the chief engineer, a full return of all the members of their respective companies with their ages and an accurate schedule of all property intrusted to their care, whenever called upon therefor.

Rolls of members.

Record of property.

Report to chief

SECT. 12. The captain of each company shall forthwith, upon arriving at a fire, report to the chief officer there in command, and shall direct the operations of his company and machine under the orders of said chief officer. If absent the officer next in rank shall have like powers and duties.

Captain's duties at fires.

SECT. 13. At fires the members of the board of engineers shall wear such badges as the mayor and aldermen shall direct, and all other members of the fire department shall wear such badges as the board of engineers shall prescribe, all such badges to be furnished at the city's charge; no person without such badge shall enter within the lines formed at a fire without the permission of the officer in charge thereat, and no person not a member of the department shall wear such badges as may be so prescribed.

Engineer's badges at fires.

Members badges.

Unauthorized badges prohibited.

SECT. 14. When any officer or member of the fire department sustains corporal injury or contracts disease in the discharge of his duty, the chief engineer shall report the same with all the facts relating thereto to the city council.

Disability in discharge of duty to be reported. Rev. charter, s. 15.

SECT. 15. Any officer or member who shall neglect or refuse to perform his duty, or who shall be guilty of any disorderly conduct or disobedience to his superiors in office, may be suspended or expelled from the department by the board of engineers, and the chief engineer shall forthwith report the action of the board thereon to the mayor and aldermen, and such action shall be final, unless reversed or revised by the mayor and aldermen within thirty days thereafter.

Failure of duty

Penalty.

Report.

SECT. 16. The chief engineer shall cause to be prosecuted any person, who without reasonable cause, makes or causes to be made a false alarm of fire, and shall see that the statutes relating thereto are enforced.

Prosecution for false alarm

SECT. 17. The officers and members of the fire department shall be residents of the city of Taunton, and when any officer or member shall remove from the city, such removal shall vacate his membership in the department, and his name shall forthwith be stricken from the roll thereof.

Firemen to be residents.

Removal vacates membership.

SECT. 18. In case of fire in neighboring cities or towns, no member of the board of engineers and no company shall leave the city with or without their apparatus except by order and direction of the chief engineer, and such order shall not

Attendance at fires out of town regulated

Parades regulated.

be given except in case of great emergency on the request of the chief engineer of said city or town. The several companies of the department shall parade for exercise and inspection at such times and places and in such manner as the chief engineer shall direct, but no company shall leave the city with or without their apparatus on excursions or other public occasions, except to attend a fire in an emergency, unless by previous permission of the mayor and aldermen with the concurrence of the board of engineers, and for such time only as said boards may direct.

Demolition of buildings.

SECT. 19. The engineer in command at a fire may direct any house or building to be pulled down or demolished, when he judges the same to be necessary in order to prevent the spreading of the fire.

Exemption from jury service.

SECT. 20. All members of the fire department shall be exempt from serving as jurors.

Fire limits.

Sect. 21. For the purpose of securing the city from damage by fire, certain fire limits are hereby established, the boundaries of which are as follows, to wit: beginning at the northwest corner of Spring and Summer streets; thence by Spring street to Mill River, so called; thence by the northerly bank of said river to Washington street; thence by the easterly line of said Washington street to Pleasant street; thence by the northerly line of Pleasant street to Broadway; thence in a straight line to the northeasterly corner of School and Fruit streets; thence by the northerly line of Fruit street to Union street; thence by the easterly line of Union street to Main street; thence by a straight line from Main street to the first named corner of Spring and Summer streets. Within the territory included within the foregoing lines no wooden buildings shall be erected without the consent of the mayor and aldermen. And no person shall erect any building within said territory, without having previously submitted to the chief engineer of the fire department, in writing, a description of the location, size and materials to be used in the outward construction of said building; and it shall be the duty of said chief engineer to communicate such proposed plan to the board of mayor and aldermen, if in his opinion the erection of such structure conflicts with the intent and purpose of the ordinance concerning fire limits.

Stat. 1872, chapt. 243, adopted.

Construction of buildings regulated.

Moving of buildings into or within fire limits regulated.

SECT. 22. No person shall move or cause to be moved from without said limits any wooden building into the same without the consent of the mayor and aldermen. No person shall move or cause to be moved from one place to another within said fire limits any wooden building, nor shall any person repair or rebuild any building within said fire limits which has been partially destroyed by fire or otherwise, without the consent of the mayor and aldermen.

Rebuilding regulated.

Control over combustibles.

SECT. 23. The chief engineer or the board of engineers shall examine all buildings or places where shavings or other combustible materials may be collected or deposited, and when-

ever in the opinion of the chief engineer or any two of said board the same is dangerous from liability to fires, he or they may order the owner, tenant or occupant thereof to remove the same, and in case of neglect or refusal so to do, they may cause the same to be removed at the expense of the tenant or occupant who shall be further liable to a penalty not exceeding twenty dollars for such neglect or refusal, and any person obstructing the members of the board or any of them or their agents, in carrying out the provisions of this section shall be liable to the same penalty. The board of engineers shall be vigilant in the enforcement of all laws and ordinances for the prevention of fires, and shall cause prosecutions to be instituted for any violation thereof.

Removal of combustibles.

Penalties.

Enforcement of ordinance.

SECT. 24. The houses occupied by the several companies shall be for the use of the members thereof, and congregating about the doors and upon the sidewalks in front of said houses, especially upon the Lord's day is strictly prohibited. No intoxicating liquors shall be carried into or kept or used in said houses and no gambling shall be allowed therein.

Use of houses by members.

Intoxicating liquors and gambling prohibited.

SECT. 25. In case of a vacancy in any company the same may be filled for the remainder of the year as provided for the appointments in the ninth section of this chapter.

Filling of vacancies.

THE FIRE ALARM TELEGRAPH.

SECT. 26. The committee on fire department shall have the supervision and general care of the rooms, apparatus and general machinery connected with the fire alarm telegraph, shall establish rules and directions for the use of the same, shall locate the signal boxes and provide for the custody of the keys thereof and shall have the general charge of said telegraph, subject to any order of the city council.

Supervision of fire alarm telegraph.

SECT. 27. There shall be elected in January and every fourth year thereafter, by the concurrent vote of the city council by ballot, a superintendent of the fire alarm telegraph, who shall hold his office for the term of four years; and whenever a vacancy occurs, the same shall be filled in like manner for the unexpired term. He shall receive such salary as the city council may determine.

Superintendent of fire alarm telegraph.

Term of office.

Salary.

SECT. 28. The superintendent shall have the full charge of the fire alarm telegraph under the direction of the committee on fire department; he shall keep it in good repair and in constant working order, and shall be held responsible for its efficiency at all times.

Duties.

SECT. 29. No one shall wilfully deface, injure or destroy the fire alarm telegraph or any part thereof, or any of the appurtenances belonging thereto, nor in any way disturb the use or operation thereof, nor open any alarm box connected therewith, except by the authority of or with the key furnished by the board of engineers or the committee on fire department,

Trespass on Fire alarm telegraph prohibited.

and the chief engineer of the fire department shall forthwith cause prosecution to be instituted against any person violating this section.

Penalties.

SECT. 30. The violation of any provision of this chapter shall be punished by a fine not exceeding twenty dollars for each offence, except when otherwise specifically provided ; and all fines, forfeitures and penalties recovered for any violation thereof, or for the violation of any statute of this Commonwealth relating to fires, shall unless special provision is otherwise made, be paid into the treasury of the city.

CHAPTER VII.

FIREWORKS AND OTHER EXPLOSIVES.

Section.

1. Sale of fireworks, etc. without license, prohibited.
2. Toy pistols, toy cannons, etc. not to be sold or used without license.
3. Firing guns and pistols in public places prohibited.
4. Transportation of gunpowder regulated.
5. The keeping and sale of gunpowder regulated.

Section.

6. The keeping of other explosive compounds regulated.
7. Sale of explosive compounds prohibited without license.
8. Supervision by fire engineers of places where gunpowder, etc. is kept, and in case of fire, provisions for removal.
9. Penalty for violation.

SECTION 1. No person shall within the limits of the City of Taunton set fire to, or have in his possession with intent to set fire to, any squib, torpedo, rocket, cracker, serpent or any other firework composed wholly or in part of gunpowder, fulminating powder, spirits of turpentine, gun cotton or other combustible matter, nor throw any such lighted fireworks; nor sell, offer for sale, give away, or have in his possession with intent to sell the same, without license from the mayor and aldermen first obtained therefor.

Sale of fireworks, etc.

SECT. 2. No person shall within the limits of the City of Taunton sell or offer for sale or have in his possession with intent to sell any toy pistol, toy cannon or any other toy in which explosive compounds are used or of which such compounds form a part, without license from the mayor and aldermen first obtained therefor; and no person shall in any public street, common or public place or within any grounds or buildings belonging to or in the use of the City of Taunton, use, discharge or set fire to any toy pistol, toy cannon or any other toy above enumerated.

Sale of toy pistols, etc.

SECT. 3. No person, except in the performance of some lawful duty shall discharge any gun, cannon, field-piece, pistol or other firearm in or upon any street, common or public place in the city; without license from the mayor and aldermen.

Firing of guns, etc.

SECT. 4. No gunpowder above the quantity of one hundred pounds shall be transported through the city unless the same is enclosed in tight casks, boxes or canisters, so as to wholly prevent any escape therefrom, and conveyed in closely covered vehicles so covered on the bottom and sides so as to prevent all friction, jarring or collision of said casks, boxes or canisters, and no vehicle containing gunpowder in the process of transportation as aforesaid, shall remain in the city over night in any street, stable or other building, nor shall any vehicle containing gunpowder in the process of transportation be driven through the thickly settled portion of the

Transportation of gunpowder.

city or on any streets or squares where the tracks of any horse or steam railroad are laid, at a rate faster than four miles per hour. Every vehicle used in transporting gunpowder and in the process thereof within the limits of the city, shall at all times be subject to the inspection of the mayor or any member of the police or the board of engineers; but this provision shall not apply to any person on military duty in the public service of the United States or of this State.

Regulations
for keeping
and storing
gunpowder.

SECT. 5. No gunpowder shall be kept in any place within the limits of the City of Taunton unless it is well secured in tight casks or canisters; no gunpowder above the quantity of fifty pounds shall be kept or deposited in any shop, store or other building or in any vessel which is within the distance of twenty-five rods from another building or from a wharf; no gunpowder above the quantity of twenty-five pounds shall be kept or deposited in a shop, store or other building within ten rods of any other building; and in all cases of such storage of gunpowder, a report shall forthwith be made of the storage thereof, by the person in charge of the same, to the chief engineer of the fire department, specifying the amount kept or proposed to be kept with a description of the place where such storage is made, and no storage shall be made elsewhere in or about the building so used; no gunpowder above the quantity of one pound shall be kept or deposited in any shop, store or other building within ten rods of any other building unless it is well secured in copper, tin or brass canisters holding not exceeding five pounds each and closely covered with copper, brass or tin covers; and no gunpowder shall be weighed within the limits of the city at any time except by daylight; but the provisions of this section and section one of this chapter shall not extend to a manufactory of gunpowder nor prevent the transportation of gunpowder through the city or from one part thereof to another.

Regulation for
keeping and
storing other
explosives.

SECT. 6. No gun cotton or other explosive compound, gunpowder excepted, above the quantity of one-fifth of a pound shall be kept, stored or held in any building, place, vehicle or vessel within one rod of any dwelling house within the limits of the city, by any person except on military duty in the public service of the United States or of this State, without the license of the mayor and aldermen first obtained therefor; and all gun cotton or other explosive compound aforesaid so kept, stored or held within said city shall be well secured in copper, brass or tin vessels closely covered with copper, brass or tin covers.

Sale of ex-
plosives.

SECT. 7. No person shall sell or keep for sale gun cotton or other explosive compounds, gunpowder excepted, within the limits of the city without being licensed therefor by the mayor and aldermen, upon the recommendation of the chief engineer of the fire department.

SECT 8. Any member of the board of fire engineers may enter the store or premises of any person licensed under the provisions of this chapter, or who keeps or has in his possession gunpowder or other explosive compounds under the provisions of sections five, six and seven of this chapter, to examine and ascertain if the laws, ordinances and regulations relating thereto are strictly observed, and upon an alarm of fire may cause gunpowder, gun cotton or any other explosive compounds deposited in a building on fire or any building adjoining thereto, to be removed or destroyed as the case may require. Supervision of
fire engineers.

SECT. 9. Whoever violates either of the first two sections of this chapter shall for each offence be punished by a fine not exceeding ten dollars, and whoever violates any other provisions of this chapter shall for each offence be punished by a fine not exceeding twenty dollars. Penalties.

NOTE.

Section 2, of Chapter VII. was ordained by virtue of the Acts of 1882, Chapter 272, which requires the approval of the Superior Court, before such ordinance shall take effect. Section 2, of Chapter VII. was approved by the Superior Court March 23, 1883.

CHAPTER VIII.

CONCERNING PUBLIC HEALTH.

Section.

1. Appointment of the board of health. Removal for cause.
2. If no agent is appointed, the police to act.
3. Supervision of tenements, and authority to vacate the same.
4. Supervision of drains, vaults and privies.
5. Construction of vaults and privies; cleaning and repairing of the same.
6. Time for cleansing vaults and privies; removal of contents and other refuse regulated.

Section.

7. Abatement of nuisances on land; determination and assessment of damages and benefits.
8. Refuse in the streets and sewers, and drowning of animals prohibited.
9. Penalty for violation.
10. City Physician; his appointment, removal and compensation; his functions.
11. The City Physician's duties; his annual report.

Appointment
of board, revised
charter, sec.
14.

SECTION 1. The mayor and aldermen shall appoint a board of health, as provided in the eighth section of chapter eighty of the public statutes, and thereafter annually in the month of January they shall appoint one person to be a member of the board of health for the term of two years from the first Monday in February next succeeding; and whenever a vacancy shall occur in said board it shall forthwith be filled for the unexpired term by the mayor, with the approval of the aldermen. Each member of said board shall be subject to removal by the mayor for cause, and shall receive such compensation as the city council may from time to time determine.

Agents of
board.

SECT. 2. In default of an appointment of an agent or agents by the board of health, and in any case whenever requested by said board, the chief of police and his subordinate officers shall carry into execution all rules and regulations made by the board of health, and all ordinances of the city respecting nuisances, sources of filth, and causes of sickness within the city, and respecting articles containing or conveying infection or contagion or of creating sickness brought into the city, and shall immediately report thereon to the board of health, and shall under the direction of said board, cause all such nuisances, sources of filth and causes of sickness to be forthwith abated.

Service of
police.

Supervision of
tenements.

SECT. 3. Whenever the board of health is satisfied on due examination that a cellar, tenement or building within the city occupied as a dwelling house has become by reason of the number of occupants, want of cleanliness or other cause, unfit for such purpose, the board may require and cause the occupants thereof to be removed therefrom, first giving them forty-eight hours notice in writing to remove.

Supervision of
drains and
vaults.

SECT. 4. Whenever any dwelling house is not furnished with a sufficient drain, privy or vault, the board of health shall in writing notify the owner thereof or his agent or tenant to construct a suitable drain, privy or vault within

such time as they may specify. If such notice is not complied with, the board of health shall cause a sufficient drain, privy or vault to be constructed, and the expense thereof shall be charged to the owner. If the owner or agent is unknown, the above notice may be given by posting the same on the premises, such time as the board may order.

SECT. 5. Every vault and privy shall be hereafter so constructed that the inside thereof shall be at least three feet from the line of every adjoining lot and from every street, lane, passage-way or public place; and whenever any privy or vault becomes offensive, the same shall forthwith be cleaned. If the owner or tenant thereof does not so do within twenty-four hours after notice thereof in writing duly served on him, the board of health may cause the same to be cleaned, repaired, altered or removed, and the expense thereof shall be charged to the owner, his agent or tenant occupying the premises.

Construction
of vaults and
privies.

SECT. 6. No privy or vault shall be opened to be cleaned between the fifteenth day of May and the fifteenth day of October in each year, unless the board of health shall so order or permit. No person shall collect, remove or carry in or through any of the lanes, streets, avenues, places or alleys within the City of Taunton, the contents of any cesspool, vault, privy or privy well, the drainage of any stable, house offal or refuse substances, either animal or vegetable, or swill from any dwelling house, slaughter house or other building in the city, unless expressly licensed therefor by the board of health, upon such terms and conditions and by such methods as the board may deem that the public health requires, and upon failure to comply therewith the license shall be forthwith revoked and cancelled. No person shall clean, keep or allow to remain within three hundred feet of the dwelling house of another, any cart or wagon used in removing the contents of vaults or privies.

Time for
cleaning.

Removal of
contents regu-
lated.

Use of carts.

Abatement of
nuisances or
lands.

SECT. 7. When any lot or vacant land within the city becomes a nuisance or dangerous to the public health, the board of health, upon petition therefor and examination thereof, after due notice to all parties interested and hearing thereon, may cause said nuisance to be abated, and if the owner, agent or occupant thereof so notified neglects to comply with the order of the board of health with reference thereto, the board of health or their agents may enter upon said lot or land and do such acts and things as may be necessary for the abatement of the nuisance thereon; and said board shall estimate and determine the damages, expense and benefits accruing from such abatement and what sums shall be assessed to the several persons benefited thereby, and the board shall duly make return to the city clerk of their doings in the premises.

Determination
of damages and
betterments.

Refuse in the
public streets
and sewers
and drowning
of animals pro-
hibited.

SECT. 8. No person shall cast any decayed vegetable or dead animal substance into any street, lane, passage-way, cesspool or sewer, nor into any well, cistern, reservoir, pond or waters within the city, nor drown, or cause to be drowned any animal in any of the said waters.

Penalties.

SECT. 9. Any person violating any provision of this chapter or any regulation established by the board of health, shall for each offence be punished by a fine not exceeding twenty dollars.

CITY PHYSICIAN.

Appointment.

SECT. 10. The mayor with the approval of the board of aldermen shall appoint a city physician for a term of three years, who shall be a resident of Taunton, and shall be subject to removal for cause by the same authority; and any vacancy in the office shall be filled in like manner. The city physician shall be ex-officio a member of the board of health, and shall receive such compensation as the city council shall from time to time determine, the same to be in full for all services performed and medicine furnished or administered in his department.

Compensation.

Duties.

SECT. 11. The city physician shall attend under the direction of the overseers of the poor, upon all sick paupers, whether state or city, and upon all sick persons under the care of the city authorities at the almshouse or elsewhere in the city, and at the request of the chief of police, upon all prisoners in the city lockup who require medical or surgical treatment. He shall vaccinate all scholars in the public schools sent to him for that purpose by the school committee or superintendent of schools and give them a certificate therefor. He shall examine in behalf of the city all applicants for military aid, who may be sent to him by the committee on military aid, and he shall furnish said committee with a certificate showing the physical condition of each person so examined. He shall annually report to the city council in the month of January a list of deaths in his department during the previous year, while under his charge, stating the age, sex, civil condition (whether alien or not) and disease of the deceased person, and also the time and cause of his death; and shall at all times give the board of health, overseers of the poor and city council such professional services as may be reasonably required of him, and such as they by any regulation, order or ordinance direct.

Annual report.

CHAPTER IX.

CONCERNING HACKS, JOB WAGONS AND OTHER VEHICLES.

Section.

1. A hackney carriage defined.
2. Licenses to be granted by board of aldermen.
3. Board of aldermen authorized to regulate terms and fares and revoke licenses. A record of licenses to be kept.
4. Fees for licenses; to expire May 1.
5. Licensee to be deemed the owner of the carriage.

Section.

6. Posting on the carriage, of licensee's name, number and rates of fare.
7. Bond required of licensee.
8. Regulation of fares by the board.
9. Assignment of stands for hacks and job wagon by chief of police.
10. Penalties.

SECTION 1. Every coach or other vehicle, whether on wheels or runners, except street cars, drawn by one or more horses or other animal power, which shall be used in the City of Taunton for the conveyance of persons for hire from place to place within said city, shall be deemed a hackney carriage within the meaning of this chapter. Hackney carriages defined.

SECT. 2. No person shall set up, use or drive in the City of Taunton any hackney carriage for the conveyance of persons for hire from place to place in said city, without a license for said carriage from the board of aldermen under a penalty not exceeding twenty dollars every time such carriage is so used. License of hackney carriage.
Penalty.

SECT. 3. The board of aldermen may from time to time grant licenses to such persons and upon such terms as they may deem expedient, to set up, use or drive hackney carriages for the conveyance of persons for hire from place to place within the city, and may establish the fare therefor, and they may revoke such licenses at their discretion. A record of all licenses so granted shall be kept by the city clerk. Authority to regulate and revoke.
Record of licenses.

SECT. 4. For every license so granted there shall be paid to the city clerk, for the use of the city, the sum of one dollar; provided, however, that any owner of a hackney carriage who is licensed to set up or use more than one such carriage, shall pay one dollar for the first, and fifty cents for each additional vehicle so licensed; and all licenses granted as aforesaid shall expire on the first day of May next after the date thereof. Fees.
Term of license

SECT. 5. The person in whose name a license is taken out for a hackney carriage shall, for all the purposes of this chapter, be considered as the owner of the same, and liable to all forfeitures and penalties herein contained; unless upon the sale of the said carriage, notice thereof be given to the city clerk and the license delivered to him. Licensee as owner.
Notice of sale required.

SECT. 6. Every carriage licensed as aforesaid shall be conspicuously marked with the license number in figures not less than one and a half inches long; and the name of the owner Posting of licensee's name, number and rates.

and driver and the number of the carriage, together with the established rates of fare, if any, shall be conspicuously posted on a card in every such licensed carriage.

**Bond of
licensee.**

SECT. 7. Every person licensed, subject to the foregoing regulations, shall give bonds with sufficient surety or sureties to be approved by the mayor and aldermen or some person by them authorized thereto in such sum as they may order, conditioned for the safe conveyance of passengers and their baggage.

**Regulation of
fares.**

SECT. 8. The board of aldermen may establish fares for the conveyance of passengers and their baggage in any hackney carriage licensed as aforesaid, and may revise and change the same at pleasure.

**Assignment of
stands for
hacks and job
wagons.**

SECT. 9. The chief of police under the direction of the mayor and aldermen shall have authority to assign stands for hack, job wagons, carts, sleds and other vehicles used for hire at such places upon the streets, squares and other public places in the city as will not unreasonably interfere with the convenience of the public. No person owning or having the care of any such vehicles shall allow them to stand while awaiting employment at any other places excepting those assigned as herein provided.

Penalties.

SECT. 10. Any person violating the foregoing provisions shall forfeit and pay for each offence a sum not exceeding twenty dollars, and in addition thereto his license may be revoked as the board of aldermen may direct.

NOTE.

By virtue of Section 8, the board of aldermen, Sept. 19, 1883, established hack fares, as appears by the following:—

CITY OF TAUNTON.

IN BOARD OF ALDERMEN, Sept. 19, 1883..

Ordered, that the rates of Hack Fare be and hereby are established as follows:—

For carrying an adult from one place to another within the limits of one mile of City Square, 25 cents.

For carrying an adult from one place to another a distance of more than one mile and within two miles of City Square, 50 cents.

Between the hours of 8 P. M. and 6 A. M. and also on Sundays, the price within the first named limits shall be 50 cents.

Children between 6 and 12 years of age, if accompanied by an adult, half price.

Children under 6 years of age, if accompanied by an adult, no charge.

Every owner, driver, or other person having the charge of any Hackney Carriage shall carry with each passenger, in addition to one trunk, a valise, carpet bag, portmanteau, box, bundle, basket, or other articles used in traveling, if he be requested to do so, without charge or compensation therefor; but for every additional trunk, or other article as above named, more than one, he shall be entitled to demand and receive the sum of ten cents.

The fare for conveyance of passengers from City Square and all intermediate localities to the Agricultural Fair Grounds in all carriages, *except Hacks*, is hereby fixed at ten cents for each person.

The City Marshal is hereby directed to assign stands for hacks, job wagons and other vehicles used for hire at such places upon the streets, squares and other public places in the city as will not unreasonably interfere with the convenience of the public.

The City Clerk is hereby authorized to approve the bonds and issue licenses for hackney carriages. [*Approved by the Mayor.*]

A true copy. Attest:

J. M. CUSHMAN, *City Clerk.*

As these may be held to be regulations of carriages under Public Statutes. Chapter 28, Section 25, publication was had of the same in the *Bristol County Republican*, Sept. 21, 1883.

CHAPTER X.

CONCERNING DEALERS IN JUNK, OLD METALS AND SECOND-HAND ARTICLES.

Section.

1. Dealing in junk, etc., without license prohibited.
2. Keepers of junk shops to keep books, containing accounts of purchaser open to inspection.
3. Junk shop keeper's sign.
4. Examination of shops and contents authorized.
5. Purchases from minors prohibited. Articles purchased not to be sold for one week.
6. Regulation for opening and closing shop, and purchasing.

Section.

7. License required for dealer's carts. Name and number of license to be placed on each vehicle. License fee.
8. Form of local license to be signed by city clerk and recorded. Location to be designated. License fee.
9. Time for granting licenses established.
10. Revocation of license. Notice to licensee.
11. All provisions to be expressed in license.
12. Penalty.

License of junk dealers.

SECTION 1. No person shall be a dealer in, or keeper of a shop for the purchase, sale or barter of junk, old metals or second-hand articles, in this city, unless he is duly licensed therefor by the board of aldermen.

Junk dealers' books.

SECT 2. Every keeper of such shop shall keep a book in which shall be written, at the time of every purchase by him of either of the articles mentioned in the preceding section, a description of the article or articles purchased, the name, age and residence of the person from whom, and the day and hour when such purchase was made; and that book shall, at all times, be open to the inspection of the board of aldermen and to any person by them authorized to make such inspection.

Inspection.

Shop signs.

SECT. 3. Every keeper of such shop shall put in some suitable and conspicuous place on his shop, a sign having his name and occupation legibly inscribed thereon in large letters.

Inspection of shops.

SECT. 4. Every such shop, and all articles of merchandise therein, may be examined at any time by the mayor or aldermen, or by any person by them authorized to make such examination.

Dealing with minors prohibited.

SECT. 5. No keeper of such shop shall directly or indirectly either purchase or receive by way of barter or exchange, any of the articles aforesaid of any minor or apprentice, knowing or having reason to believe him to be such; and no article purchased by such shopkeeper shall be sold by him, until a period of at least one week from the date of its purchase or receipt by him shall have elapsed.

Sales regulated

Business hours regulated.

SECT. 6. Every such shop shall be closed on every Sunday throughout the day, and on every other day during the hours before sunrise and after ten o'clock in the evening; and no keeper thereof shall make purchase of any of the articles aforesaid during such hours.

- SECT. 7. The board of aldermen may license any dealer in junk, old metals or second-hand articles, to set up and use wagons or other vehicles, for the purpose of collecting junk, old metals and second-hand articles in the City of Taunton; and no such dealer shall set up and use any vehicle for said purpose, without a license from said board for each vehicle so set up and used. Every dealer so licensed shall have his name and the number of the license placed upon each side of every such vehicle in plain legible words and figures of not less than one and one-half inches in length, and so that the same may be distinctly seen. One dollar shall be paid to the city clerk for the use of the city, for each license granted under this section.
- SECT. 8. Every license granted under this ordinance shall be signed by the city clerk, and shall be recorded by him in a book kept for that purpose before being delivered to the licensee; such license shall set forth the name of the person licensed, the nature of the business and the building or place in which it is to be carried on, and shall continue in force until the first day of May next ensuing after the same shall take effect, unless sooner revoked; and no license granted as aforesaid shall be valid to protect the licensee in any building or place other than that designated in the license, unless consent to removal be granted by the board of aldermen, which consent shall be indorsed on the license. The city clerk upon issuing any such license shall receive for the use of the city for each license the sum of two dollars, except as provided in section seven.
- SECT. 9. The board of aldermen may grant licenses as aforesaid at any time during the month of April, to take effect on the first day of May then next ensuing, and after the first day of May licenses may be granted by them for the remainder of the year ending on the first day of the following May.
- SECT. 10. Any license granted under this ordinance may be revoked at any time by the board of aldermen, upon violation of any of the conditions or provisions thereof. Whenever any such license shall be revoked, the city clerk shall note such revocation upon the face of the record of the license, and shall give written notice of the revocation to the holder of the license, said notice to be delivered to him in person or left at the place of business designated in the license.
- SECT. 11. All the provisions of this ordinance shall be incorporated into every license granted under it.
- SECT. 12. Any person who shall violate any of the provisions of this ordinance, shall be liable to a penalty not exceeding twenty dollars for each offence.

License of dealer's carts.

Cart sign.

License fee.

Record of local license.

Form of license

Term of license

Location.

Fee.

Time for granting licenses.

Revocation.

Notice to licensee.

Ordinance set out in licenses.

Penalty.

CHAPTER XI.

CONCERNING THE FREE PUBLIC LIBRARY.

Section.

1. Previous ordinance affirmed.
2. Management by board of trustees ; board how constituted and chosen.
3. Election of trustees by city council ; vacancies how filled.
4. Expenditure of appropriations.

Section.

5. Organization of trustees ; appointment of officers, and their compensations.
6. Authority of trustees to make rules and regulations.
7. Annual report of trustees.
8. Appropriation of the dog license fund.

Ordinance affirmed.

SECTION 1. The first section of an ordinance passed on the twenty-first day of March in the year eighteen hundred and sixty-six, entitled "An ordinance relating to the establishment and government of a free public library," is hereby re-ordained and affirmed.

Trustees.

SECT. 2. The immediate control and management of said library shall be vested in a board of trustees to consist of the mayor and president of the common council *ex-officio*, and of six citizens at large to be chosen as hereinafter provided, who shall hold their offices until others are chosen in their place.

Appointment.

Election of trustees.

SECT. 3. Said six trustees shall be elected by the city council by ballot in joint convention. The trustees heretofore chosen shall continue to hold their offices for the term for which they were respectively chosen, and there shall be chosen annually in the month of January two trustees for the term of three years, to fill the vacancies then occurring, and all vacancies in said board occasioned by death, resignation, removal from the city or otherwise, shall be filled in like manner for the unexpired term.

Term.

Vacancies.

Expenditures.

SECT. 4. All moneys appropriated for said library shall be expended under the direction of said board of trustees ; they shall have full power to expend the same in the purchase of such books, periodicals and newspapers as they may select, and in defraying all the expenses for the support and maintenance of the institution. In addition to the appropriations which may from time to time be made in its support, all sums of money which may be received from the county treasurer by virtue of the statutes relating to dogs, or by its officers for fines, forfeitures, damages to books, sales of old books or papers, and duplicate copies of books or papers, shall be retained for the use of said library and expended in like manner.

Organization of board.

Appointments.

SECT. 5. Said trustees may organize by choice of one of their number as president, may appoint a librarian, assistants and such other officers as they may deem expedient, fix their

compensation and remove them at pleasure. The salaries Salaries. and other compensations fixed by the board shall be paid from the city appropriation for the library.

SECT. 6. Said trustees may make all needful and suitable Regulations. regulations concerning said library and the use and management thereof, subject to the approval of the city council.

SECT. 7. Said trustees shall annually on or before the Annual report. first day of January lay before the city council a detailed report of their proceedings, the condition of the library, the number of books added thereto, and the receipts and expenditures of the previous year, with such information or suggestions as they may deem important.

SECT. 8. All moneys which shall hereafter be paid to the Appropriation of dog license fund. city treasurer by the treasurer of the County of Bristol, on account of the dog license fund, shall at the time received be credited to the account of the public library.

CHAPTER XII.

CONCERNING THE CHIEF OF POLICE AND SUBORDINATE OFFICERS.

Section.

1. Chief of police, deputy chief, captains, lieutenants and policeman, appointment of; their whole time to be at the service of the city; compensation.
2. Bonds required.
3. Duties of the chief of police.
4. Duties as agent of the board of health.
5. Chief of police to keep record of complaints, and make reports quarterly, and to render accounts of fees received.
6. Duties of the police at fires, and in collection of taxes.

Section.

7. Chief of police may make rules and regulations.
8. Duties of subordinate officers; duties of watch and ward.
9. Subordinate officers to account to chief for fees; chief to account to city treasurer monthly for moneys received.
10. Appointment of special officers and their compensation.
11. Appointment of constables; their duties and compensation.
12. Removal of police officers.

Appointment,
revised charter
section 9.

7 3

SECTION 1. The mayor and aldermen shall annually as soon as may be after the organization of the city government and whenever a vacancy occurs appoint a chief of police, deputy chief, captains, lieutenants and policemen, such as they deem necessary, with all the powers and duties of constables, who shall continue in office respectively until their successors are appointed and qualified, unless sooner removed by the mayor and aldermen. Their whole time shall be at the service of the city and they shall receive such compensation as the city council from time to time may determine.

Compensation.

Bonds.

SECT. 2. Before entering upon the duties of his office, the chief of police and each subordinate officer shall give bond to the city, the chief of police in the sum of one thousand dollars and each subordinate officer in the sum of five hundred dollars, with sufficient surety or sureties to be approved by the mayor and aldermen for the faithful performance of their respective duties; and each shall be duly sworn.

Duties of chief.

SECT. 3. The chief of police shall have the general charge and supervision over his subordinate officers and over all constables and special police officers when engaged in the same service, or whenever directed thereto by the mayor and aldermen, and shall forthwith report to the mayor and aldermen any violation or neglect of duty by any of said officers. He shall from time to time pass through the streets, lanes, alleys, squares and public grounds of the city to observe all nuisances, obstructions or impediments therein or on the sidewalks thereof, and any violation of any ordinance or statute relating thereto. He shall forthwith report to the superintendent of streets any defects or want of repairs which may be discovered in any public streets, ways, bridges or side-

walks. He shall receive all complaints against any person for any breach of the laws or of the ordinances of the city and shall for that purpose attend daily at his office at some stated time to be approved by the mayor and aldermen. He shall promptly and efficiently prosecute all offenders and by all proper means secure convictions, and he shall enforce and carry into effect all laws and city ordinances and be vigilant in detecting any breach thereof.

SECT. 4. The chief of police shall be subject always to the direction, authority and control of the board of health, enforce all ordinances and orders of the city council and all regulations and orders of the board of health relating to sickness, nuisances, sources of filth affecting the comfort or health of the inhabitants of the city existing within its limits, and shall cause the same to be abated, as by such ordinances, orders or regulations or by the laws of the Commonwealth provided.

Duties of chief,
as agent of
board of health

SECT. 5. The chief of police shall keep or cause to be kept at the police station an exact record of all complaints made by him or any officer under his control, for any violation of the laws or city ordinances and of all arrests so made with a complete description of the person arrested, with the cause thereof, the name of the officer making the arrest, and the disposition made of the person and the case with the circumstances thereof. Such record shall be kept in a book furnished by the city, and shall at all times be open to the inspection of the mayor and aldermen, and shall be delivered by him to his successor in office. The chief of police shall once in three months, and whenever so required, make a full report in writing of the proceedings of his office to the mayor and aldermen containing an exact account of all the fees received by him or his subordinate officers for serving processes, attendance upon court, witness fees in any case, civil or criminal, and all other fees and moneys received by him or them as complainants, or otherwise as officers or agents of the city.

Record of the
chief.

Inspection.

Quarterly report.

Account of fees
received.

SECT. 6. The chief of police and such subordinate officers or policemen as he shall direct, shall, in case of fire, repair to the place where the fire may be and in conjunction with the chief engineer or other officer there in command diligently attend to the keeping of the public peace, the prevention of thefts and the loss or injury of property, and the removal of all persons suspected or invading the lines formed thereat; and shall, under the direction of the collector of taxes, assist in the collection of taxes.

Duties of police
at fires.

Collection of
taxes.

SECT. 7. The chief of police may establish rules and regulations for the government, disposition and management of the police consistent with the laws and with the ordinances of the city, subject to the approval of the mayor and aldermen.

Regulations of
police.

SECT. 8. The deputy chief, captains and lieutenants shall, under the direction of the chief of police and of the mayor and aldermen, perform and aid in any and all such duties and

Duties of sub-
ordinate offi-
cers.

- have all such powers as are prescribed for the chief of police, and may act as day or night police; and the chief of police with his subordinate officers and policemen shall have and perform all the powers and duties of watch and ward as provided by law, subject to the direction of the mayor and aldermen.
- Watch and ward.**
- Accounting of subordinates to chief.** **SECT. 9.** The deputy chief, captains and lieutenants, shall pay over to the chief of police all fees and moneys received for serving processes, attendance on court or for witness fees in any case, civil or criminal, or as complainants or otherwise as officers or agents of the city, and the chief of police shall once a month pay over the same to the city treasurer together with all such fees and moneys received by him in any manner as aforesaid. It shall also be his duty to collect, receive and pay over to the city treasurer once a month all fines, forfeitures and penalties accruing for the breach of any ordinance of the city or any regulation of the board of health.
- Monthly accounts.**
- Collection of fines, etc.**
- Special officers.** **SECT. 10.** The mayor and aldermen may appoint such special police officers and watchmen as they deem necessary and fix their compensation, who shall be duly sworn before entering upon their duties.
- Compensation.**
- Constables.** **SECT. 11.** The mayor and aldermen may appoint such constables as they deem proper who shall be sworn according to law. Such constables shall attend all fires within their respective wards and diligently attend to the preservation of the peace, the prevention of thefts and the loss or injury of property and shall receive therefor such compensation as the mayor and aldermen may determine.
- rev. char., s. 9.**
- Duties.**
- Compensation.**
- Removal.** **SECT. 12.** Any officer named in this chapter may at any time be removed by the mayor and aldermen for cause and others appointed in his place.

CHAPTER XIII.

CONCERNING THE CITY MESSENGER.

Section.

1. Election of city messenger, his compensation.

Section.

2. Duties of city messenger.

SECTION 1. The city council shall annually in the month of January and whenever a vacancy occurs, elect by joint ballot a city messenger, who shall hold his office during the pleasure of the council, and shall receive such compensation as the council may determine. Election. Compensation.

SECT. 2. The city messenger shall have the general care and custody of the city hall and its various apartments, including the grounds and appurtenances thereto. He shall prepare and arrange the various apartments of the city hall for their appropriate purposes and shall keep the same clean, warmed, lighted, and in good order and condition for any occupation authorized by the mayor and aldermen or city council, or either branch thereof or any committee thereof. He shall attend all sessions of the city council or either branch thereof or any committee of the same, and of the board of overseers of the poor, the board of assessors and the board of health; and he shall deliver all messages, notifications and other papers when thereto directed by the mayor, president of the common council, the city council or either branch thereof. He shall at all times be subject to such further orders as may be made from time to time by the city council. Duties.

CHAPTER XIV.

CONCERNING ORDINANCES AND ORDERS.

Section.

1. Enacting style of ordinances.
2. Record of ordinances by the city clerk. Ordinance book.
3. Terms "Ordered" and "Resolved" defined.

Section.

4. Presentation of ordinances, orders and resolutions to the mayor for approval. Record of same.
5. Ordinances; when to take effect
6. Promulgation of ordinances by printing, in the municipal register and by publication.

Enacting style. SECTION 1. All by-laws passed by the city council shall be termed "Ordinances," and the enacting style shall be: "Be it ordained by the city council of the City of Taunton, as follows: "

Records. SECT. 2. All ordinances shall be recorded by the city clerk in a fair and legible hand, without interlineation or erasure, and in the order in which they were passed to be ordained, in a book prepared and kept for that purpose, made of strong linen paper, with proper margins and indexes, and strongly bound. Said book shall be lettered "Records of Ordinances of the City of Taunton," and shall be preserved in the office of the city clerk, subject to public inspection.

Ordinance book.

Terms
"ordered,"
"resolved."

SECT. 3. Whenever the city council or either branch thereof expresses anything by way of command, the form of expression shall be "Ordered;" and whenever the city council or either branch thereof expresses opinions, principles, facts or purposes, the form shall be "Resolved."

Presentation for approval.

SECT. 4. Whenever an ordinance, order, resolution or vote shall be passed by the city council or either branch thereof, which is required by law to be presented to the mayor for approval, the city clerk shall, without unnecessary delay, present the same to the mayor, and enter upon the records of the board of aldermen the dates of the presentation and approval thereof.

Record.

Ordinances, when to take effect.

SECT. 5. Every ordinance shall go into effect on the day upon which it is approved by the mayor, or otherwise passed and approved as provided by the statutes of this Commonwealth. And if such ordinance is not returned by the mayor within ten days after presentation thereof to him, it shall go into effect after the expiration of ten days from the date when the same was so presented. This section shall not apply when it is provided otherwise.

Printing of ordinances.

SECT. 6. Every ordinance passed during a municipal year shall be printed in the annual report of that year, under the supervision of the committee on printing, and shall be further promulgated by publishing the same under the supervision

Promulgation.

of the city clerk, in any newspapers, not exceeding two, printed and published in the City of Taunton, as the mayor shall direct; but a failure to comply with this section shall not affect the validity of any ordinance.

CHAPTER XV.

CONCERNING PETROLEUM.

Section.

1. Appointment of inspector of petroleum. Removal.
2. Inspection of kerosene oil kept for sale required; compensation of inspector; inspection to be enforced by inspector.

Section.

3. Penalty for violation of this chapter.

Inspector of petroleum, appointment.

Vacancies.

Removal.

Sale of uninspected petroleum prohibited.

Fees for inspection.

Enforcement of law.

Penalties.

SECTION 1. The mayor and aldermen shall annually appoint in the month of January an inspector of petroleum and its products: and whenever a vacancy in said office shall occur, it shall be forthwith filled for the unexpired term by the mayor and aldermen, and said officer shall be subject to removal by the mayor for cause.

SECT. 2. No person shall in the city sell or keep for sale at retail for illuminating purposes any kerosene, refined petroleum or any products of petroleum, without having the same inspected and approved by a duly appointed inspector. The compensation of the inspector shall be twenty cents for each commercial barrel inspected by him, under this ordinance, to be paid by the persons requiring his services; and he shall be vigilant in detecting any breach of the statutes relating to petroleum and its products, and in promoting the enforcement thereof.

SECT. 3. Any person violating the provisions of this chapter shall forfeit and pay a fine not exceeding twenty dollars for each offence.

CHAPTER XVI.

CONCERNING PRINTING.

Section.

1. Printing to be authorized by committee on printing.
2. Documents to be printed in uniform style. Committee of succeeding year authorized to complete work begun.

Section.

3. The committee to approve bills for printing.

SECTION 1. All printing required for the city or paid for by the city shall be done under the direction of the joint standing committee on printing, except when otherwise specially authorized.

Duties of committee.

SECT. 2. All documents printed by order of the city council or any department thereof, shall be printed in uniform style, and the annual reports of each year shall be numbered from one upwards, and all documents or other matters referred for printing to the joint committee on printing of any year, the printing whereof is not completed at the end of that year, shall be completed by the joint committee on printing of the municipal year next following.

Style of documents.

Completion of unfinished work.

SECT. 3. No bills for printing shall be allowed unless the same are approved by the joint committee on printing, or by the committee or person specially authorized to incur the expense and supervise the same.

Approval of printing bills.

CHAPTER XVII.

CONCERNING THE COMMITTEE ON PUBLIC PROPERTY.

Section.

1. Appointment of the committee on public property.
2. Duties of the committee; care and supervision of all public property; the limits of their authority.
3. Care of public grounds and fountains.
4. Sealed proposals required for contracts exceeding five hundred dollars, with right to reject reserved.
5. Certain contracts to be in writing; alterations to be made by majority only.

Section.

6. Records and a schedule of all city property to be kept in property book; annual report to the city council in December.
7. Fuel contracts and department incidentals, regulated. School committee's authority over fuel for schools and school incidentals.
8. Committee; authority to let or lease land or buildings and to grant the temporary use thereof.

Appointment.

SECTION 1. At the commencement of each municipal year there shall be appointed a committee on public property consisting of two aldermen and five members of the common council.

Duties.

SECT. 2. Said committee shall have the care and supervision of all school houses, public buildings and other property of the city and of the erection, alteration and repair thereof, except as otherwise provided, and subject always to such rules, orders and regulations as the city council may adopt. The amount of expenditures for the foregoing purposes in any one year shall not exceed the appropriations made therefor by the city council, and no expenditure shall be made in reference thereto unless the same is considered in committee and agreed to by a major part thereof; and no building shall be erected nor shall any alteration or repair be made on any building, if the estimated cost of such expenditure in any single instance shall exceed two hundred dollars, unless the city council shall expressly authorize the same.

Care of public grounds.

"Green,"
"Marvel fountain."

SECT. 3. Said committee shall have the care and supervision of the "Green" and all other lands or enclosures belonging to the city and of all public drinking fountains including the "Marvel" fountain, except when otherwise specially provided.

Sealed proposals for contracts.

SECT. 4. Whenever the estimated cost for the erection, alteration or repair of any building authorized by the city council exceeds the sum of five hundred dollars, said committee shall cause plans and specifications of said work to be prepared and shall by public notice invite sealed proposals for the same, and no such proposals so received shall be opened except in committee, nor shall the contents of any such proposals be disclosed to any person until after the contract therefor is closed. All such proposals the committee shall reserve the right to reject, whenever they deem the interest of the city requires it.

Reserved right to reject.

SECT. 5. Every contract involving an expenditure of five hundred dollars shall be in writing, and after it is concluded shall not be opened nor altered in any particular, except by consent of the committee endorsed on the contract and signed by a major part thereof, unless the city council shall otherwise order.

Contracts in writing.

Alterations.

SECT. 6. Said committee shall cause to be kept in a book furnished by the city a complete record of their doings; said book shall also contain a schedule of the several parcels of real property in charge of said committee with a brief description thereof, and of all leasehold interests of the city, if any, and also a schedule of the personal property of the city and where the same is deposited or kept; and said committee shall annually submit to the city council a statement or all the property real and personal of the city, except when otherwise specially provided.

Records of committee.

Property book.

Schedules.

Annual statement.

SECT. 7. Said committee shall annually purchase or in writing contract for, all fuel required for the several departments of the public service, the same to be delivered when and where said committee direct, and they are authorized to provide for use in the several departments such articles as they may deem necessary, provided the cost thereof in any single instance shall not exceed twenty-five dollars. And the school committee are authorized to provide fuel, furniture and other things necessary for the school department, including repairs of school houses, to the same extent of expenditure, in case the committee on public property make no provision therefor.

Fuel contracts

Purchase of incidentals.

School committees authority over school incidentals.

SECT. 8. Said committee may let any land or building, not put to any public uses, for a term not exceeding one year, but all written leases shall be subject to the approval of the city council, and shall be executed by the mayor in behalf of the city, and said committee may permit the temporary use of the city buildings whenever the same does not interfere with their public uses, and is not in violation of some ordinance or order of the city council.

Letting and leasing of public lands or buildings.

CHAPTER XVIII.

CONCERNING THE SALARIES AND COMPENSATION OF CITY OFFICERS.

Section.

1. Compensation of municipal officers in detail, payable in weekly installments.
2. Compensation in detail of the fire department, in weekly installments.

Section.

3. Compensation herein fixed is in full for all official services.

Compensation
of municipal
officers.

Weekly pay-
ments, revised
charter, sec. 9.

SECTION 1. The compensation to be paid the several officers herein mentioned for each municipal year shall be fixed at the annual rates herein set forth, and shall be payable in equal weekly installments, to wit:

To the mayor, a salary of twelve hundred dollars.

To the treasurer and collector, seventeen hundred dollars.

To the clerk of the treasurer and collector, not less than three hundred nor more than eight hundred dollars, the exact amount to be specifically fixed each year by the committee on finance.

To the treasurer of the commissioners of sinking funds three hundred dollars.

To the city clerk fifteen hundred dollars. He shall pay over to the city treasurer monthly all fees, charges and commissions of every kind and description allowed by law, received by him by virtue of said office, accompanied by a statement of the purposes for which they were received, taking the treasurer's receipt therefor.

To the assistant of the city clerk, not less than three hundred nor more than six hundred dollars, the exact amount to be specifically fixed each year by the committee on finance.

To the board of assessors, seventeen hundred dollars.

To the board of water commissioners, six hundred dollars.

To the clerk of the board of water commissioners one thousand dollars.

To the superintendent of streets, fifteen hundred dollars, with stabling and feed for one horse.

To the chief of police, eleven hundred dollars.

To the deputy chief and captains of the night watch and day police, each at the rate of two dollars and seventy-five cents per day.

To the police and night watchmen, each at the rate of two dollars and fifty cents per day.

To the city physician, eight hundred dollars, for which sum he shall also furnish all medicines necessary to be used in his department, without additional expense to the city. He shall as a member of the board of health, also receive the sum of fifty dollars for each municipal year.

Revised char-
ter, section 12.

To the city solicitor, five hundred dollars.

To the board of health, two hundred and fifty dollars to each member thereof other than the city physician.

Revised charter, section 14.

To the overseers of the poor, excepting the secretary, each two hundred dollars.

Revised charter, section 13.

To the secretary of the overseers of the poor, eight hundred dollars.

To the city messenger, six hundred dollars.

To the clerk of the common council, one hundred and fifty dollars.

To the superintendent of Mayflower Hill cemetery and Broadway burial ground, one hundred and fifty dollars.

To the superintendent of Oakland cemetery, twenty-five dollars.

To the sealer of weights and measures, one hundred and fifty dollars.

To the inspector of milk, fifty dollars.

To the registrars of voters, two hundred dollars each.

SECT. 2. The compensation to be paid the officers and members of the fire department, and other officers herein mentioned, for the current year and for each year following until otherwise determined, shall be fixed at the annual rates herein set forth, and shall be payable in equal weekly installments, to wit:

Compensation of fire department.

Revised charter section 15.

Weekly payments.

To the chief engineer of the fire department, nine hundred dollars, with stabling and feed for one horse.

To the superintendent of the fire alarm telegraph, nine hundred dollars.

To the first, second and third assistants, each one hundred and four dollars.

To the permanent engineers of steam fire engines, nine hundred dollars.

To the hostler at the city stable on Leonard street, seven hundred dollars.

To the engineers of the several steam fire engines, except permanent engineers, and to the captains of engine companies, hose companies and hook and ladder companies, each ninety-six dollars.

To the lieutenants and assistant engineers of steamers, hosemen and truckmen, each eighty-four dollars.

To the stewards each of volunteer companies, twenty-five dollars.

SECT. 3. The compensation to be paid to the several persons named in this chapter shall be in full for all services rendered by them in their respective offices, unless otherwise provided.

Inclusive compensation.

CHAPTER XIX.

CONCERNING THE CITY SEAL.

Section.

1. Design of the city seal, and device.

Section.

2. Legal instruments executed by the city to be sealed with the city seal and signed by the mayor.

City seal.

Design.

SECTION 1. The design of the city seal shall be, a circle, in the centre, a shield, on which is represented the original purchase of the territory by Elizabeth Pool: above the shield on the scroll the motto "Dux femina facti," below the word "Cohannet:" on the right, a railroad, depot, cars and machine shops: on the left, Taunton Great River, shipping and warehouses: in the upper border "Taunton:" in the lower, "A town 1639, a city 1864," the device thereof being as follows:

Device.



Execution of deeds.

SECT. 2. All deeds or other legal instruments made, given or entered into by the city by order of the city council or either branch thereof, requiring a seal, shall be sealed with the city seal and shall be signed and acknowledged in behalf of the city by the mayor.

CHAPTER XX.

CONCERNING SEWERS.

Section.

1. Authority for laying out drains and sewers, and determining manner and mode of construction; hearing thereon.
2. Supervision by superintendent of streets; detailed plans thereof to be filed in the city clerk's office.
3. Account of the expense to be kept by the superintendent, and report of betterments to the board of aldermen, and to be filed with city clerk.
4. Assessments of betterments to be made by the aldermen; the city clerk to certify the same to the city treasurer, who shall notify persons charged.
5. The treasurer to collect the assessments.

Section.

6. Chapter 97 Acts 1891 accepted. Instead of assessments, payment of betterments upon entry provided for.
7. Written permits from the board of aldermen required for entries; entries to be made under charge of the superintendent of streets; other entries forbidden.
8. Licenses for private drain layers required and their term of office. Regulations for constructing connecting drains and entries.
9. Bond of drain layers; condition thereof.
10. Entry of rain water into the sewer provided for.
11. Penalty for violation of this chapter.

SECTION 1. The board of aldermen may with the concurrence of the common council lay, make and maintain all such main drains or common sewers as they adjudge to be necessary for the public convenience or the public health, through the public streets or through the lands of any persons or corporations and may repair the same whenever it is necessary. All such drains and sewers shall be the property of the city and when laid in any public street shall be laid as nearly as possible in the centre thereof, and shall be constructed in such manner and of such materials and dimensions as the board of aldermen shall direct; but no main drain or common sewer shall be laid in any street until each person whose property may be effected by the laying of such drain or sewer has had an opportunity to be heard in relation thereto; and the board of aldermen shall notify and hear parties interested in like manner as is provided in chapter 23 of the revised ordinances, in regard to the laying out, alteration or discontinuing of streets.

Authority to lay and maintain common sewers.

Revised charter, section 17.

Construction.

Hearing.

SECT. 2. The superintendent of streets shall under the direction of the board of aldermen have the general supervision of all drains and common sewers now built or hereafter to be built by the city and of all repairs thereof. Whenever such drain or sewer is ordered to be built or repaired, he shall ascertain its depth, dimensions, mode of construction and course, and shall make an accurate plan thereof setting forth the full details thereof with references to other lines of sewerage in the same general direction, if any there are, and shall specify thereon the depth and distance from the street lines and the particular location of all private drains entering

Supervision of the superintendent of streets.

Plan.

Filing of Plans therein as from time to time they are granted. Said plans of sewerage shall be filed and carefully preserved in the office of the city clerk.

Account of expense. **Report of betterments.** **SECT. 3.** The superintendent of streets shall keep an accurate account of the expense of constructing or repairing such drain or sewer and shall forthwith report the same to the board of aldermen after the same is finished or whenever ordered so to do, with a list of the estates benefited thereby, and the names of the owners thereof, a record whereof shall be duly made in the office of the city clerk.

Assessment of betterments. **SECT. 4.** The board of aldermen in providing for assessments to be made for defraying the expense of constructing or repairing such drains or sewers shall determine the proportionate part of such expense to be imposed upon those benefited thereby and shall thereupon apportion and assess upon every person benefited thereby such proportional part, a record whereof shall be forthwith made in the office of the city clerk and shall fix the time when the assessments so made shall be paid, and the city clerk shall certify the same to the city treasurer who shall forthwith give notice to the several parties to be charged thereby, or to their tenants or lessees.

Record. **Notice to persons to be charged.** **Payment of assessments.** **SECT. 5.** The city treasurer shall forthwith demand payment in writing of all sums so assessed from the persons assessed or from the persons occupying the estates so assessed, and if payment thereof is not made within three months after the demand so made therefor, the city treasurer shall collect the same with all incidental costs and expenses as provided by statute, together with interest from the thirtieth day after assessment, until paid, at the rate of six per centum per annum.

Interest. **Acceptance of stat. 1891, chap. 97.** **SECT. 6.** Chapter ninety-seven of the acts of the legislature for the year 1891, is hereby accepted, and the board of aldermen may, if no apportionment is requested by any person, determine that instead of the assessments made against him as heretofore provided, there shall be paid by him for the use of the drain or sewer on account of which he is assessed such sum upon his entry into the same, as they may determine reasonable on account of the full and permanent benefit to his estate.

Payment on entry. **Granting of permits to enter.** **SECT. 7.** No person shall enter his particular drain, directly or indirectly, into any main drain or common sewer without a permit in writing from the board of aldermen; and the application for such entry shall be in writing and in such form as the board of aldermen may prescribe. Said permit shall specify the mode of construction and shall provide that such particular drain shall be subject to such alterations at the applicant's or owner's expense as the board of aldermen may at any time determine. All openings into any main drain or common sewer for the purpose of connecting therewith and all work done in relation thereto shall be under the

supervision and charge of the superintendent of streets or of some person by him specially authorized therefor. No person shall enter any main drain or common sewer except as provided in this chapter, nor without paying the assessment laid therefor or such sum as the board of aldermen shall deem reasonable for the privilege.

Supervision of superintendent of streets.
Unauthorized entries prohibited.

SECT. 8. Annually, in the month of January, and at other times whenever necessary, the committee on sewers shall license such drain layers as apply, and are found competent, who alone shall be authorized to make all openings or excavations in any street, for the purpose of constructing or repairing private drains, and who shall construct all entrances into the common sewers under the supervision of the superintendent of streets. Such person shall hold office for one year, unless sooner removed by said committee. No such private drain, if of vitrified pipe, shall be laid of a less size than six inches interior diameter; and if of iron it shall be of no less than five inches internal diameter, and of extra heavy pipe, and the work shall be done as directed by the superintendent of streets.

Drain layers to be licensed.

Term of office.

Regulations.

SECT. 9. Every person licensed as provided in the preceding section, shall before performing any work authorized thereby, execute a bond to the city in the sum of two thousand dollars, with two good and sufficient sureties, to be approved by the committee on sewers, conditioned that he shall comply with the terms of the permit under which entrance is made; that he will cause the excavation to be properly fenced during the whole time the street is obstructed; that he will, when necessary, maintain one or more lighted lanterns in a conspicuous place over such obstruction from twilight in the evening and through the whole night; that he will properly make all the entrances to the sewers and will leave no obstruction of any description in the sewer which he may open; that he will properly close the excavation, restore the earth and pavements taken up, and regrade and repave that part of the street which has been excavated, and keep it in a good and satisfactory condition for a period of one year thereafter, and that if he fails so to do, the street may be repaired by the street department and the expense thereof charged to him; and that he will repay the city such expense, and that he will indemnify and hold harmless the city from any damage or cost to which it may be put by reason of injuries resulting to any one from neglect or carelessness in making or repairing such drain, or in properly fencing or lighting any excavation or obstruction, or in performing any other work connected therewith.

Drain layer's bond.

Conditions thereof.

SECT. 10. Any person may at his own expense conduct the rain water from the roof of any building into any main drain or common sewer, upon such terms and conditions as the board of aldermen may prescribe, and subject to the

Entry of rain water.

supervision and direction of the superintendent of streets, and subject to such alterations as the board of aldermen may from time to time determine.

Penalty.

SECT. 11. Any person violating the provisions of this chapter relating to the entry or use of main drains or common sewers shall be liable to a penalty not exceeding twenty dollars.

CHAPTER XXI.

CONCERNING SINKING FUNDS.

Section.

1. Election of the board of sinking fund commissioners.
2. Maturing debts may be renewed; what funds to be kept distinct.
3. Surplus of appropriations and other moneys to be set over to the municipal sinking funds.
4. Surplus of amounts to be set over to the water loan sinking funds; certain credits to be allowed.
5. Annual contributions to sinking funds provided for by taxes to be annually assessed to pay the interest and to extinguish the debt at maturity; or instead thereof provision for annual proportionate payments. Clerk's notice to assessors of amount required.

Section.

6. Duties of the treasurer of sinking funds.
7. Sinking funds not to be applied in payment of interest.
8. Commissioners' report to city council of the amount required to be raised by taxation; investment of funds, and annual report thereof.
9. Commissioners to apply funds set apart to the payment of debts due; the balance, how disposed of.

SECTION 1. The sinking funds heretofore established shall continue to be maintained. The board of commissioners of said sinking funds shall, as heretofore, consists of three suitable persons, one of whom shall be elected annually, in the month of January, for the term of three years, by the concurrent vote of both branches of the city council, and shall have and exercise all the duties and powers as provided in the twenty-ninth chapter of the public statutes; provided that the commissioners now in office shall continue in office for the terms for which they were respectively elected.

Election of sinking fund commissioners

Term of office.

Duties and powers.

SECT. 2. Upon the maturing of the existing funded and other debts of the city, the same shall be renewed in securities of the city, payable as provided in said twenty-ninth chapter of the public statutes, except so far as the same may have become a part of the sinking funds as hereinafter provided, and except also so far as the same or any portion thereof may be paid at maturity; but said debts and securities relating to the general indebtedness of the city shall be always kept distinct from and independent of the debts and securities relating to indebtedness arising from the introduction of pure water, as provided by the statutes of the commonwealth relating thereto.

Renewal of maturing debts

Funds to be kept distinct.

MUNICIPAL SINKING FUNDS.

SECT. 3. At the close of each financial year, all excess of municipal appropriations over the amounts required for the purpose thereof, all the moneys received by the city from the sale of real estate, or from payments on account of the principal sum of any bond or note now owned or which may

Moneys set over to municipal sinking funds.

hereafter be owned by the city, except such as may relate to the water works, or from payments on account of any betterment assessments, or from premiums which may arise from the sale of the municipal bonds of the city other than water bonds, shall be set apart and paid by the city treasurer to the treasurer of the board of commissioners aforesaid, to be added to the municipal sinking funds now or hereafter to be established under the provisions of chapter twenty-nine of the public statutes, for the purpose of reducing the amount to be raised by taxation for such funds, as provided by said twenty-ninth chapter of the public statutes, and a reduction shall be made according thereto.

WATER LOAN SINKING FUNDS.

Annual appropriation for water loan sinking fund.

Certain credits to be allowed.

SECT. 4. For the water loan sinking funds as now established there shall hereafter be appropriated annually by the city council not less than three per cent. of the total amount of all outstanding loans authorized and made for the introduction of pure water; provided however, that the income in any financial year from the sale of water and from premiums for water bonds, in excess of the interest upon the water debt and the current expenses of the water works and the premiums on water bonds received during such year, shall at the close of said year be credited by the city treasurer to the water loan sinking fund, and shall be paid over to the treasurer of said sinking fund, and the appropriation to be made by the city council for the succeeding year on account of the water loan sinking funds, shall be proportionately diminished.

GENERAL PROVISIONS.

Annual contributions to sinking fund.

Substitution of annual payments.

Clerk notice of required assessments.

SECT. 5. Whenever any debt is hereafter contracted by the city under sections seven, eight and nine of chapter twenty-nine of the public statutes, or under the provisions of this chapter, the city shall, besides paying the interest on said debt as it accrues, from the taxes assessed for that purpose, at the time of contracting the same establish a sinking fund, and contribute thereto from year to year an amount raised annually by taxation sufficient with its accumulation to extinguish the debt at its maturity; or instead thereof, may by a majority vote provide for the payment of such indebtedness in such annual proportionate payments as will extinguish the same within the time prescribed in said chapter; and the city clerk shall annually in the month of February notify the board of assessors of the passage of such votes and the amount required to be assessed by them; but the failure of the city clerk to notify the assessors shall not exempt them from assessing the amounts as required by section 1, chapter 133, of the statutes of 1882.

SECT. 6. The treasurer of the board of sinking funds commissioners shall keep accurate and separate accounts of each sinking fund, and shall place to the credit of each sinking fund all appropriations made by the city for such several funds, and also all moneys received by the city and paid over to him as provided in the third and fourth sections of this chapter. All amounts held by the city treasurer on account of the several sinking funds aforesaid shall be paid by him to the treasurer of said commissioners upon their written order, on the first day of November in each year, and every sinking fund shall remain sacred and inviolate and pledged to the payment and redemption of the debt for which it was established, and shall be used for no other purpose.

Treasurer's duties.

Payment of money toward the sinking funds.

SECT. 7. Said commissioners shall in no case pay or apply any sinking funds, or the interest or accumulation thereof, in payment of any interest upon any debt of the city.

Sinking funds not to apply to interest.

SECT. 8. Said commissioners shall annually, in the month of February, report to the city council the amount required to be raised by taxation at the next annual assessment for each of the sinking funds in the hands of said commissioners for redeeming municipal indebtedness. In ascertaining the amount to be so raised, they shall deduct from the total amount of annual contributions required therefor all additions to the several sinking funds during the year preceding, from the several sources of income specified in sections two and three of this chapter. Said commissioners shall invest any and all contributions to the several sinking funds from year to year, and all accumulations of said funds, in such securities as the statutes of this commonwealth designate, and shall report annually in writing to the city council, in December, the exact amount and condition of the sinking funds in their charge, and the income thereof for the preceding financial year.

Report of amount required for taxation.

Determination of the same.

Investments.

Report.

SECT. 9. Whenever any debt to be paid from any sinking fund becomes due, said commissioners shall apply to the payment thereof from the funds in their charge for such payment, the sum required after deducting the amount of scrip, notes or bonds, held by them, which the city of Taunton issued and for which such sinking fund was established to redeem; and all such scrip, notes or bonds then redeemed, or previously taken and held for redemption, shall be cancelled and delivered to the city treasurer; and the balance of such funds, if any, left after the payment of said debt, shall be transferred by the said commissioners to such other sinking fund, or otherwise disposed of as the city council may order.

Payment from the sinking funds.

Cancellation of redeemed scrip.

Disposal of balances.

CHAPTER XXII.

CONCERNING THE PAYMENT OF AID TO SOLDIERS AND THEIR DEPENDENTS.

Section.

1. Designation of pay-day.
2. City clerk to be clerk of committee on soldiers' aid; his duties.
3. Certificate of allowance to be sent to city treasurer.

Section.

4. Payment of allowance by treasurer; authority of treasurer to suspend payment and report.
5. Compensation of clerk.

Designation of
pay day.

SECTION 1. The twenty-fourth day of each month is hereby fixed as pay-day for all aid duly authorized to be paid to soldiers or their dependents under all laws now in force in this commonwealth or which may hereafter be enacted, and the aid thus paid on the twenty-fourth day of each month, shall be for the calendar month in which it occurs; provided however, that if the twenty-fourth day shall fall upon Sunday or a legal holiday, the succeeding day shall be pay-day.

City clerk,
clerk of com-
mittee.

SECT. 2. The city clerk shall be the clerk of the committee of the board of mayor and aldermen, to which shall be committed the matter of the allowance of claims for aid under chapters 301 and 279 of the acts of the legislature of 1889, and chapter 447 of the acts of 1890. He shall receive all claims for aid under either of said chapters, shall prepare all vouchers necessary to make the application complete to be laid before the board of State Aid Commissioners of the Commonwealth. He shall cause all applicants to be duly notified of the stated meeting of said committee, and he shall do all things necessary to be done that the right and interest of the city may be protected; he shall attend all meetings of the said committee and render assistance in the examination of applicants.

Duties.

Certificate of
allowance.

SECT. 3. Whenever an allowance is made to any applicant for aid under said chapters, the clerk of the committee shall certify to the city treasurer the amount to be paid said beneficiary and for what period, together with all other facts necessary to be exhibited in the monthly pay rolls to be forwarded to the board of State Aid Commissioners of the Commonwealth, by said treasurer.

Payment of
allowance.

SECT. 4. The city treasurer may pay all sums so certified, at the regular pay day, and shall continue said payments for the entire period so certified, provided however that if any reason exists by reason of receipt of pension, marriage of dependent widow or removal from the city, or other sufficient cause, the said treasurer may temporarily suspend the payment of aid, and shall forthwith report the case for the consideration of said committee.

Suspension of
allowance.

SECT. 5. The city clerk shall receive in full payment for his services under this chapter and in addition to all other compensation to which he is now entitled by ordinance the sum of three hundred dollars per annum, to be charged to the appropriation for salaries and paid upon the usual pay rolls of city officers.

CHAPTER XXIII.

CONCERNING STREETS.

Section.

1. No street to be laid out except under petition of ten legal voters; notice of intention to be given to land owners.
2. The hearing before the board of aldermen; a view if requested; adjudication; bounds to be fixed and grade established; plan and profile to accompany the same; damages to be awarded; time fixed to remove fences, etc.
3. Full report of the laying out to be filed in the city clerk's office seven days before presentation to the common council; concurrence of common council required.
4. Permanent bounds to be established.
5. City council to establish names of streets; street book to be kept by city clerk, containing names, date of laying out, descriptions, bounds and alterations of all streets.
6. Streets laid out to be forty feet wide.
7. Construction of private ways opened to public travel; plan thereof to be filed with the city clerk; aldermen may close the same.
8. Numbering of all buildings provided for; penalty for non-compliance therewith.
9. Adoption of Public Statutes chapter 50 sections 21, 22 and 23 relating to sidewalks.
10. Application for establishing sidewalks; hearing to be had, and notice thereof.
11. Adjudication by the board of aldermen; assessments therefor.
12. Construction of sidewalks by the superintendent of streets; an account to be kept of the cost thereof and reported to the aldermen; assessments upon the abutters with limitations; report and assessment to be filed with the city clerk and recorded; a copy of assessment to be delivered to the city treasurer.
13. Treasurer to collect assessment.
14. Election of superintendent of streets; his compensation.

Section.

15. Duties and powers of superintendent of streets.
16. Closing of public and private ways when unsafe for public travel.
17. Superintendent of streets to be notified when a street is to be dug up by water department, and to restore street at charge of that department.
18. To have charge of the street lights.
19. To have charge of city stable and appurtenances; appoint hostlers; notify concerning repairs needed at city stable; make rules therefor, and dispose of unnecessary articles; smoking prohibited.
20. Employees of city to notify superintendent of streets of defects in streets; superintendent to keep a record of same.
21. Department accounts of contracts or expenditures; report thereof to the city council whenever ordered, and annually, with the schedule of department property, details and recommendations.
22. Appointment of assistants, and defining their districts; powers and duties of assistants; their compensation.
23. Estimate of cost and plan of all lay-outs and alterations to be made and reported to city council; prohibited from changing grade or altering a street or sidewalk whereby damages may accrue, without express orders; personal liability.
24. To be sworn; to give bonds; whole time to be at the disposal of the city; not to have any interest in any contract; to approve all bills in his department before payment.
25. Chapter 179 Section 4, Acts 1891 accepted.
26. Superintendent of streets to make report upon an appropriation and estimate of streets to be watered; provision for assessment.
27. Report of expense to the board; betterments imposed upon the estates benefited and record made thereof.

THE LAYING OUT OF STREETS:

Laying out,
revised charter,
sect. 5, 16.

Notice.

SECTION 1. No street or way shall be laid out, altered or discontinued except upon the written application of at least ten legal voters therefor; and in no case unless seven days previous thereto the board of aldermen shall cause written notice of their intention to lay out, alter or discontinue the same, to be given as herein provided. Said notices shall specify the time and place for meeting and hearing all parties

interested therein, and shall be left at the usual place of abode of the several owners of the land over which such street or way is proposed to be laid out, altered or discontinued, unless such notices are delivered to such owners in person, or to their tenants or authorized agents; and if any such owner have no such abode in the city and no tenant or authorized agent therein known to the board of aldermen, or if, being a resident of the city, he is not known as such to said board, such notice shall be posted up in some public place in the city seven days at least before the laying out, altering or discontinuing such street or way.

Service of
notice.

SECT. 2. At the time and place appointed and notified as aforesaid, the board of aldermen shall meet and hear all parties interested, and, if requested, shall view the premises. If the board of aldermen shall adjudge that the common convenience and necessity require such street or way to be laid out, altered or discontinued, they shall, as soon as may be, proceed to lay out, alter or discontinue the same; and shall fix the boundaries and admeasurements of the street or way so laid out or altered; and shall determine the grade thereof with a plan and profile of the same, and the names of the various owners of land interested designated thereon; and the damages, if any, sustained by any person in his property by the laying out, altering or discontinuing of such street or way; the amount of compensation which such person shall receive, and the time allowed the owners of land through which said street or way passes to take off trees, fences and other property which may obstruct the building of such street or way.

Hearing.

View.

Adjudication.

Plan.

Damages.

SECT. 3. The board of aldermen shall, after laying out, altering or discontinuing any street or way, make full report of their doings in the premises, and shall cause the same, with all plans thereof, to be forthwith filed in the office of the city clerk; but no action of the board of aldermen relating to the laying out, altering or discontinuing of any street or way, shall be finally established unless the common council shall concur therein at a regular meeting thereof, held at least seven days after the filing of the report and adjudication of the board of aldermen thereon in the office of the city clerk.

Report.

Filing report.

Concurrence
of common
council, rev.
charter, sec. 16

SECT. 4. The board of aldermen shall cause permanent landmarks, bounds or monuments to be established, of any street or way so laid out or altered, as provided by statute.

Bounds.

SECT. 5. The several streets and squares in the city shall retain the names heretofore established, and all streets, ways or squares hereafter to be laid out shall be named by the city council. The city clerk shall keep a book, to be furnished by the city, in which the names of all streets and ways now established, laid out or hereafter to be laid out within the city, shall be entered, with a brief description thereof, the date of layout or acceptance if known, with the boundaries and widths thereof, and any alterations at any time made therein,

Names of
streets.

Street book.

and with a statement of such landmarks or other established monuments appertaining thereto, so far as the same can be ascertained.

Width of lay-out.

SECT. 6. No public street shall hereafter be laid out by the city council, and no existing street shall be accepted or laid out as a public way, unless the same be forty feet wide, if such width can be secured without a material and disproportionate injury to adjoining estates.

Construction of private ways

SECT. 7. No person shall hereafter open any street or way for public use into any public street or way, unless such street or way opened as aforesaid, is forty feet in width, and is constructed and completed at his sole expense upon a plan deposited in the office of the city clerk, with such a grade as the board of aldermen shall determine, nor unless the same is reasonably safe for public travel at all seasons of the year; and the said board may, whenever the public safety demands, direct and cause the entrances of any street or way so opening into any public street or way to be closed up, if not constructed and completed as herein provided.

Record.

Closing.

NUMBERING OF BUILDINGS.

Numbering of buildings.

SECT. 8. The board of aldermen may order all dwelling houses or other buildings fronting on any public street or way to be numbered in regular succession, and may in such order determine the form, size and material of the numbers to be affixed or inscribed thereon, and the mode, place, order and succession whereby such numbers may be so annexed. The owner or occupant of any building subject to such order, who shall fail or refuse to comply with the terms or conditions thereof for a longer period than one day after being duly notified of the same, shall for each offence forfeit and pay a penalty not exceeding twenty dollars.

Penalty for non-compliance.

SIDEWALKS.

Adoption of public statute, chapter 50, sections 20, 21, 22, and 23.

SECT. 9. The adoption of sections twenty, twenty-one, twenty-two and twenty-three of chapter fifty of the Public statutes, relating to the establishment, construction and grading of sidewalks is hereby ratified and affirmed.

Application for sidewalks.

SECT. 10. All applications for the establishing, constructing or grading of sidewalks shall be in writing, and shall be addressed to the mayor and board of aldermen. The board of aldermen shall appoint a time and place for hearing all parties interested, and shall give notice thereof in writing to all abutters on such proposed sidewalk, seven days at least before the time of hearing. The notice shall be served by leaving the same at the usual place of abode of each of said

Hearing.

Notice.

abutters, or by delivering the same to such abutter in person or his tenant or authorized agent; if such abutter has no known place of abode and no tenant or authorized agent within the city known to the board, or if, being a resident therein, he is not known as such to the board, such notice shall be posted up in some public place in the city, seven days at least before the time of hearing.

Service of
notice.

SECT. 11. At the time and place so appointed, and after notice as aforesaid, the board of aldermen shall meet and hear all parties interested therein, and, if requested, shall view the premises; and if said board shall adjudge that the public convenience requires that a sidewalk should be established, constructed or graded as prayed for, they may establish and grade the same in such manner as they may deem proper, and may make assessments for the expense thereof as hereinafter provided.

Adjudication.

Assessments.

SECT. 12. Every sidewalk so established shall be constructed, graded and completed by the superintendent of streets or under his direction, of such materials, dimensions, and in such manner as said board of aldermen prescribe. He shall keep an exact account of the expense incurred therefor, and shall report the same to the board within thirty days after its completion, with the names of all abutters assessable therefor, and the estates benefited thereby, with a brief description thereof; and thereupon the board of aldermen may assess the several abutters thereon not exceeding one half of the expense thereof proportionally, but no abutter shall be assessed a sum exceeding one per cent. of the valuation of his abutting estate, as fixed by the last preceding annual assessment for taxes, and deduction shall be made of any sum previously assessed thereon and paid on account of the construction of such sidewalk. Said report and assessment shall be filed in the office of the city clerk; and the city clerk shall record in a book furnished by the city and kept for that purpose, the names of the streets in which a sidewalk is so established, and shall enter therein the length and width of such sidewalk, the date when established, and the names of the several owners of the estates abutting thereon, and the several sums so assessed thereon; and he shall forthwith deliver to the city treasurer a certified copy of said assessment.

Construction.

Expense ac-
count, report.

Assessment.

Limitation.

Filing of re-
port and as-
sessment.

Record.

SECT. 13. The city treasurer upon receiving the assessment certified to him as aforesaid, shall forthwith proceed to make collections of the various sums so assessed, and shall enforce the payment thereof as provided by statute.

Collection of
assessments.

SUPERINTENDENT OF STREETS.

SECT. 14. As soon as may be after the organization of the city government, annually and whenever a vacancy occurs, there shall be elected by the city council in joint convention

Election.

Revised char-
ter, section 9.

by ballot, a superintendent of streets, who shall receive such compensation as the city council determines.

Duties and powers. SECT. 15. He shall perform the duties, exercise the powers, and be subject to the obligations of a surveyor of highways as provided by statute, and shall, under the direction and control of the mayor and board of aldermen, have the general superintendence of all streets, ways, lanes, sidewalks, bridges and public squares within the city; shall cause the same to be kept in repair and safe for public travel at all seasons of the year; shall make all necessary contracts for the supply of labor and materials therefor; shall have charge of the building and repairing of main drains and common sewers belonging to the city; shall keep the public streets and other avenues of the city clean and in good condition for public use, and shall forthwith notify the mayor, chief of police, or board of health, of any encroachments, obstructions or nuisances existing therein, and shall do all other things in relation thereto as the mayor, board of aldermen or city council may order.

Closing streets when unsafe. SECT. 16. Whenever any public street, way or bridge becomes unsafe or inconvenient for public travel, he shall forthwith, by proper barriers, shut off the portion thereof so unfit for public use and cause the same to be lighted at night, until the same is made safe and convenient for travel, and shall

Lighting same. whenever the public safety demands or the board of aldermen direct, cause the entrance of any private street or way opening into any public street or way to be forthwith closed up.

Closing private ways. SECT. 17. Whenever the water commissioners or any person under their control shall enter upon and dig up any public street or way in the city, in laying, altering or repairing the conduits, pipes and drains therein, they shall before such entry, notify in writing the superintendent of streets of their intention so to do; and said commissioners shall restore the streets and ways so entered to the acceptance of the superintendent of streets, and in case of any default in so doing, the superintendent of streets is authorized and required to make all repairs thereon necessary to secure a full restoration of said streets and ways, and all expense thereby incurred shall be charged to the account of the water works and paid from appropriations made therefor.

Interruption of streets by water board regulated. SECT. 18. He shall, unless otherwise provided, be the superintendent of lights, and shall, under the direction and control of the board of aldermen, have the care and oversight of all city lamps and fixtures, and shall see that they are properly lighted and kept in repair; except when provision is otherwise made therefor.

Superintendence of street lights. SECT. 19. He shall have the general care and management of the city stable, and all disbursements for supplies thereat shall be made by him or upon his order. He shall employ the hostler, who shall have the immediate, entire care of

Charge of city stables.

the horses and harnesses. He shall select and employ none but competent and reliable persons for hostler and drivers and shall forthwith discharge any of such who may be addicted to the use of intoxicating liquors, or shall at any time be found intoxicated. He shall see that the hostler and one at least of the drivers sleep in the engine house on Leonard street; and in case of fire, such hostler and all such drivers shall be subject to the control and direction of the chief engineer of the fire department, or the officer in command at the fire. He shall work the city horses alternately, and shall not permit the horses used with the fire engines to be taken so far from the stable as to cause serious delay in case of an alarm. He shall notify the committee on public property whenever repairs or improvements are needed at the stable. He may, subject to the approval of the standing committees on streets and fire department, make such rules and regulations concerning the property in his charge and the men by him employed, as he deems expedient. He may with the approval in writing of the mayor, sell or otherwise dispose of any old, worn out or unnecessary article not required in his department, not exceeding in value the sum of two hundred dollars. Smoking at the city stable shall be prohibited.

Employment and discharge of men.

Fire engineers' control.

Use of city horses.

Repairs.

Superintendent's rules.

Disposal of useless property.

SECT. 20. Every person in the employ of the city shall forthwith send to the superintendent of streets notice of any defect in any street which may come to his notice; and all neglects to remove from sidewalks ice and snow; and said superintendent shall make a record of such notices with the name of the person making the report, and the time when the report was made, in a book kept for that purpose, and he shall without delay cause the locality of the alleged defects to be forthwith examined and all necessary steps taken to protect from injury by such defects in said streets or ways, and to repair the same.

Notice by employees of defects.

Record thereof

SECT. 21. He shall keep an exact account of the names of all persons furnishing labor or material for his department, and of the rates for which the same are contracted, and shall lay before the board of aldermen or the city council whenever ordered, a detailed statement thereof specifying therein, as nearly as may be, the amount expended upon each street in the several wards. He shall annually, on or before the fourth Monday in December, render to the city council a detailed report of the operations of his department during the preceding year, specifying as nearly as may be the amount expended in the several wards and upon the several streets and ways of the city. The report shall contain a schedule showing in detail the property of the city belonging to his department at the commencement of his official year, all such property purchased or added during the year, and what disposition, if any, has been made of the same or any part thereof. It shall also contain such other information and suggestions as are necessary to a full understanding of the condition and operations of his department.

Department accounts.

Annual report.

Schedule of department property.

Details.

Appointment
of assistants.

Removal.

Assistants'
duties.

Compensation.

Estimates and
plans for lay-
outs and
alterations.

Estimates of
damages.

Report.

Restrictions in
service.

Personal lia-
bility.

General duties

Bond.

Certifying of
claims.

SECT. 22. He may, subject to the approval of the committee on streets, appoint a sufficient number of assistants in wards five, six, seven and eight, and define the districts to which their respective duties shall appertain. He may, subject to the same approval, remove said assistants and appoint others in their places; and may change the limits of the several districts as may be found convenient. Said assistants shall each reside within their respective districts and they shall, under his direction and control, render the superintendent such assistance as he may require in the discharge of his duties. They shall notify him without delay of any defects or want of repair in the public streets or ways of the city within their respective districts; and in case of emergency shall forthwith make or cause to be made all necessary repairs, and do all other things which he could do if personally present. Said assistants shall be each responsible to the superintendent for the faithful discharge of their respective duties, and shall receive from the city a reasonable compensation for the time actually so employed.

SECT. 23. Whenever it is proposed to lay out any street or way, or to lay any main drain or common sewer or whenever any change in grade or alteration is required in any public street or way, and in any case when so directed by the city council, the superintendent of streets shall make or cause to be made a full and particular estimate of the cost of the proposed work and the necessary plans therefor. He shall also ascertain, as nearly as may be, the damages which will accrue by reason of such work to abutters or others, and report, as soon as may be, all facts, estimates and plans relating thereto to the city council. He shall not change the grade or make any alteration in any public street, way or sidewalk, whereby any claim for damages may accrue against the city, without the express order of the city council; and he shall be personally responsible for any act whereby damages may so accrue, unless the same shall have been ordered by the city council or authorized by the express vote thereof.

SECT. 24. The whole time of the superintendent shall be at the disposal of the city. He shall be duly sworn, and shall give a bond with sufficient sureties, to the satisfaction of the mayor and board of aldermen, for the faithful discharge of the duties of his office. He shall not in any manner, directly or indirectly have any pecuniary interest in any purchase, contract or agreement appertaining to his department or office; and all claims and demands against the city arising in his department for labor, services or materials furnished, shall be approved and certified by him, and shall be audited, allowed and paid in the same manner as other claims and demands against the city.

RELATING TO WATERING STREETS.

SECT. 25. The provisions of section four of chapter one hundred and seventy-nine of acts of the legislature of eighteen hundred and ninety-one are hereby adopted.

Statute 1891,
chapter 179,
section 4,
adopted.
Report upon
appropriation.

SECT. 26. If an appropriation shall be made for watering the streets by the city council, the superintendent of streets shall forthwith thereafter make a report to the board of aldermen, of the streets which he deems the public convenience requires to be watered, with an estimate of the expenditure required therefor and the extent of the season appropriate for that purpose, and thereupon the board of aldermen shall designate the streets to be watered subject to an assessment therefor, and the extent of the season for watering the public streets under this ordinance.

Details.

Assessment.

SECT. 27. The superintendent of streets shall keep an accurate account of the expense of watering the streets designated by the board of aldermen as provided in section twenty-six of this ordinance, and shall forthwith report the same to the board of aldermen, upon the expiration of the season so designated, with a list of the persons and estates benefited thereby, a record whereof with such amendments as may be made by the board of aldermen, shall be made in the office of the city clerk, and thereupon the board of aldermen shall determine the proportionate part of such expense to be imposed upon the estates benefited thereby, and shall apportion and assess upon every person whose estate has been so benefited his proportionate part thereof, a record whereof shall be forthwith made in the office of the city clerk and certified to the board of assessors, to be collected as by statute provided.

Expense account.
Report.
Betterments.
Adjudication.
Record.

CHAPTER XXIV.

CONCERNING STREETS, OFFENCES IN.

Section.

1. Digging up the ground in the streets and depositing any obstructions therein, or moving buildings without license in writing is prohibited.
2. Terms and conditions imposed when license is granted; failure to conform to conditions vacates license.
3. Erections and projections within the streets prohibited; hoisting over the sidewalk or street prohibited.
4. Basement ways from the street regulated; water from spouts or gutters not to be cast upon persons passing on the sidewalks; impure water flowing from any building or lot over the streets or sidewalks prohibited.
5. Awnings or signs projecting over streets regulated; gates and doors swinging over sidewalks regulated.
6. Excavations adjoining public streets, not guarded, prohibited.
7. Curbstones, posts, fences or buildings on the line of a street, subject to the regulations of the mayor and aldermen, under supervision of superintendent of streets.
8. Depositing coal or wood upon the streets prohibited.
9. Depositing of ashes or rubbish in the streets prohibited.
10. Depositing and carrying house offal and refuse in the streets prohibited.
11. Obstruction of street crossings prohibited.

Section.

12. Obstruction of sidewalks by carriages, animals or material prohibited.
13. Obstruction of sidewalks by loiterers prohibited.
14. Removal of snow and ice on certain streets regulated.
15. Removal of snow and ice from roofs adjoining the streets regulated.
16. Immoderate driving regulated.
17. Sales from stands, tents, etc. in the streets regulated.
18. Sales of wood and hay in the streets regulated; stands therefor to be designated.
19. Swine in the public streets prohibited.
20. Grazing of cattle in the streets prohibited and regulated.
21. Gaming in the streets prohibited.
22. Bathing in public places and public waters prohibited.
23. Indecent or disorderly conduct and games in the streets prohibited.
24. Protection of shade trees and lamp posts in the streets provided for.
25. Injury to trees, fences, etc. in or upon streets and public places prohibited. Street lighting regulated.
26. Placards, show bills, etc. regulated; indecent exhibits in public places prohibited.
27. The right of way to fire department granted and regulated. Interruptions prohibited.
28. Penalties.

Obstructions. SECTION 1. No person shall break or dig up the ground in any public street, way, sidewalk or other public place or lands of the city; nor erect thereon any building or any staging for building, fence or other encumbrance; nor deposit thereon any stone, brick, timber or other material; nor move any building into or along any public street, way, sidewalk or other public place, the superintendent of streets or other person under him in the exercise of their official duties excepted, without the license in writing of the mayor and aldermen first obtained upon application therefor in writing and subject to such restrictions and conditions as they may therein prescribe.

Moving buildings.

License.

Terms of license. SECT. 2. Every person so licensed under section one of this chapter shall in writing agree to indemnify the city for all loss or damage accruing to the city from doing any act or thing under such license, or in consequence thereof, and sureties may be required as the mayor and aldermen may direct; and every person who when so licensed, shall obstruct or render unsafe or out of repair any public street, way, sidewalk or public place, shall securely guard the same

Conditions.

by a proper fence or railing and by lights during the night time, and shall within such time as the mayor and aldermen may designate, amend and repair such public street, way, sidewalk or public place, and remove all obstructions therefrom to the acceptance of the superintendent of streets, and in case of failure so to do, he shall pay such sum as the superintendent may expend in restoring to a safe and satisfactory condition, said public street, way, sidewalk or public place; and such license shall be subject to such further conditions and restrictions as the mayor and aldermen may prescribe. Said license may be revoked at any time at the pleasure of the mayor and aldermen, and the failure to comply with the conditions and terms of such license shall work an immediate revocation of the same. The provisions of section one and two shall extend to all persons and corporations, holding any right or franchise within the public streets and ways of the city.

Penalty of
breach.

Revocation.

SECT. 3. No person shall make, erect or maintain any door, step, porch, platform, cellar way or basement entrance, extending into or being within any public street, way, sidewalk or public place without license in writing of the mayor and aldermen first obtained; nor hoist material of any kind over such street, way, sidewalk or place into any building adjoining thereto, nor shall any portion of the apparatus for hoisting be operated within said streets, ways, sidewalks, or places without such license.

Erections and
projections.

Hoisting.

SECT. 4. No person shall cause or suffer any cellar-way, or other basement-way under his control, leading from any public street, way or sidewalk and immediate thereto, to remain open or insecurely closed, except when in present use and properly guarded. Nor shall any person cause or suffer any spout or gutter under his control to cast water upon passengers using such street, way or sidewalk, nor cause or suffer any sink water or other impurities to flow from a house, barn or lot owned or occupied by him, into or over any such street, way or sidewalk.

Basement
ways.

Gutters.

Refuse water.

SECT. 5. No person shall place or maintain any awning or shade, sign or signboard, before his place of business or dwelling-house over part of any public street, way or sidewalk, unless the same is safely and securely supported, nor unless the lowest part thereof is at least eight feet above the street, way or sidewalk, and in no case without the consent in writing of the mayor and aldermen, and in all cases conformable to their direction and terms of construction and subject to removal upon their order; and no person shall cause or allow any gate or door belonging to him or under his control to swing into or over any sidewalk.

Awnings and
signs.

Removal.

Gates.

SECT. 6. No person shall cause or suffer any well, cistern, vault, cellar, drain or other excavation belonging to him or under his control to remain open or uncovered within or adjoining any street, way or sidewalk, or so near thereto as

Excavations.

- to endanger the safety of travelers thereon, unless the same is enclosed by a safe and sufficient fence, curb or guard.
- Guards.** SECT. 7. No person shall erect or cause to be erected, nor remove or cause to be removed, any post in the public streets or ways nor change the grade or width of any street, way or sidewalk, or the position of any curbstone thereon, without the permission of the mayor and aldermen, the same to be done under the supervision of the superintendent of streets, and the mayor and aldermen may order the removal of such posts and curbstones; and no person shall erect, place or change the location of any fence or building adjoining any street, way or sidewalk, without the true bounds of such street or way having been first ascertained upon application therefor to the mayor and aldermen, the same to be done under the supervision of the superintendent of streets.
- Posts.**
- Curbstones.**
- Demarkation of streets.**
- Coal and wood.** SECT. 8. No person shall place, or permit to remain, his coal or wood or other merchandise in or upon any public street, way or sidewalk for more than twenty minutes, and no person shall cut or saw wood in any public street or on any sidewalk thereof.
- Wood cutting.**
- Ashes and rubbish.** SECT. 9. No person shall place or deposit or cause to be placed or deposited upon any street, way, sidewalk or other public place of the city, ashes, house dirt, shavings or rubbish, except under the direction of the superintendent of streets.
- House-offal.** SECT. 10. No person, other than employees of the city engaged in public work, shall deposit in or carry through any public street, way, sidewalk or other public place of the city, house-offal, filth or other noxious refuse matter, except in accordance with a permit from the board of health.
- Street crossings.** SECT. 11. No person shall stop with a horse, team or carriage, nor place any other obstruction upon or across any flagstones, stepping stones, or other footways in any public street, way or place of the city.
- Obstruction of sidewalks.** SECT. 12. No person shall drive, draw or transport any cart, carriage, bicycle, tricycle, wheelbarrow, sled or other vehicle, excepting children's hand carriages or sleds, on any sidewalk; nor cause or permit any horse, ox or other cattle under his care, to pass or travel thereon, except to cross the same to enter an adjoining enclosure, nor occupy or obstruct any street, way or sidewalk with boxes, barrels, merchandise or other things.
- Obstruction by loiterers.** SECT. 13. No person shall wilfully or negligently obstruct the free passage of foot travelers upon any sidewalk or footpath within a public street, nor shall any person wilfully loiter upon any sidewalk or footway within a public street, after being directed by a police officer to move on, by reason of any disturbance or obstruction therein.
- Removal from sidewalks of ice or snow.** SECT. 14. The tenant, occupant, and in case there is no tenant or occupant, the owner or other person having the care of any building or lot of land bordering on any sidewalk in such streets as may be designated by the mayor and alder-

men shall cause the snow and ice to be removed from such sidewalk. If the snow cease falling in the day time it shall be removed within four hours thereafter, if the snow ceases falling in the night time it shall be removed before eleven o'clock on the succeeding day; and all ice formed upon any sidewalk in such streets as may be so designated, or otherwise deposited thereon shall be removed by the abutting tenant or occupant, and in case there is no such tenant or occupant, by the owner of such abutting premises, within twenty-four hours after the same shall be so formed or deposited, unless within said time the sidewalk is otherwise rendered safe for travel.

SECT. 15. The tenant, occupant, and in case there is no tenant or occupant, the owner or other person having the care of any building adjoining any street or way, the roof whereof slopes toward said street or way, shall cause all snow and ice to be removed therefrom, within twenty-four hours after the same shall cease forming or falling.

SECT. 16. No person having the care of a horse or other beast of burden, shall drive or ride or permit such horse or beast of burden to go at a greater rate of speed than seven miles an hour in any public street, within the limits of wards two, three and four, and in any public street wherein is located a street railway; nor in any other public street within the city at a greater rate than twelve miles per hour.

SECT. 17. No person shall place, erect or maintain in any public street, way or place or upon any lands of the city any stand, booth, tent, stall, table, or other structure, for the sale or exhibition of any articles, without license first obtained from the mayor and aldermen who may grant the same upon such terms and conditions as they think proper.

SECT. 18. No person shall expose for sale wood or hay in any street, way or public place, nor allow teams, carts or other vehicles containing wood or hay to stand or remain therein, except in such places as may be designated therefor by the mayor and aldermen; and the mayor and aldermen may designate certain places in the public streets, ways or places, as stands for exposing wood or hay for sale, under such rules and regulations as they may think proper.

SECT. 19. No person shall expose for sale swine, in any street, way or public place of the city, except as the mayor and aldermen may designate; nor cause or permit the same to feed or graze while under his charge, care or control, in any street, way or place, or common of the city.

SECT. 20. No person shall cause or permit any horse, goat, cow or other neat cattle belonging to him or under his control to graze, pasture or go at large, in any street, way or public place or common of the city; but nothing herein contained shall prevent the grazing of such animals under the care of a keeper in such portions of the public streets or ways as front on the lands of the owner or keeper thereof.

Time.

Removal of ice and snow from buildings.

Time.

Immoderate driving.

Limitations.

Sales from stands.

Terms of license.

Sales of wood and hay.

Places therefor.

Rules therefor.

Swine.

Grazing of cattle.

Limitation.

- Gaming.** **SECT. 21.** No person shall expose for sale, or use or set up for use, any table, stand, device or implements for gambling or other unlawful gaming, nor gamble or engage in any unlawful game, in any street, way or other public place of the city.
- Bathing in public.** **SECT. 22.** No person shall bathe or swim without clothes on his person, at or in view of any public place or landing, nor in any place exposed to view from any public street, way or railway, nor within the waters of the Taunton Great River from Neck-of-Land Bridge to Shallow Water, between sunrise and one hour after sunset.
- In public waters.**
- Disorderly conduct.** **SECT. 23.** No person shall use profane or obscene language; nor wilfully frighten any horse or other draught animal; nor shoot with or use bow and arrows, guns or slings; nor throw stones, snow balls or other missiles; nor engage in any game of ball, in any street, way or public place in the city.
- Games.**
- Shade trees and lamp posts** **SECT. 24.** No person shall fasten any horse, cattle or team to any ornamental or shade tree or lamp-post in any street, way or public place or any public grounds of the city or to any fence or other structure erected for the protection thereof.
- Defacement of fences, posts, etc.** **SECT. 25.** No person shall deface, injure or destroy any tree, fence, guide-post, guide-board, gas-post, lamp-post, lamp or lantern thereon, or telegraph, telephone or electric light post in any street, way or public place in the city, nor light or extinguish any street light, without being duly authorized by the officers in charge thereof.
- Extinguishment of lights.**
- Placards.** **SECT. 26.** No person shall make, write, print or post any indecent or obscene marks, figures, words or signs upon any fence, building, post, tree or other object exposed to public view; and no person shall without the license of the mayor and aldermen first obtained, post up any placards, show-cards, hand-bills or posters upon any tree, fence, pole used for electric purposes, hitching-post or building within any street, way or public place of the city, or upon any building, structure or lands belonging to the city.
- Posters.**
- Right of way for fire department.** **SECT. 27.** In case of fire, the fire department and its officers and members with their horses, machines and equipments, shall have the right of way in the public streets and ways of the city, as against all persons, vehicles or animals, and no person shall hinder or obstruct them in their free passage therein, nor drive over any hose belonging to the fire department with any carriage or other vehicle, nor remove, injure or in any manner disturb the members thereof, their horses, machines, hose or equipments, when stationed, located or laid in any such public street or way, except under the direction of the officer in command thereat.
- Interruptions prohibited.**
- Penalties.** **SECT. 28.** Any person offending against any provision of this chapter, shall forfeit and pay a fine not exceeding twenty dollars for each offence.

CHAPTER XXV.

CONCERNING THE SUPERINTENDENT OF SCHOOLS.

SECTION 1. The school committee shall annually in the ^{Election.} month of June or whenever a vacancy occurs, appoint a superintendent of public schools who, under the direction and control of said committee shall have the care and supervision of said schools, with such salary as the said school committee may determine. ^{Compensation} He shall hold his office until his successor is appointed unless sooner removed.

CHAPTER XXVI.

CONCERNING ABSENTEES FROM SCHOOLS.

Designation of
commitment
for truants, etc.

SECTION 1. The Norfolk, Bristol and Plymouth Union Truant School in Walpole is hereby established and provided as a place for the confinement, discipline and instruction of any minor convicted of being an habitual truant or of any child between seven and fifteen years of age convicted of wandering about in the streets or public places of the city having no lawful employment or business, not attending school and growing up in ignorance.

Commitment.

SECT. 2. Any minor convicted under the provisions of the preceding section, shall be committed to the Norfolk, Bristol and Plymouth Union Truant School in Walpole, for confinement, discipline and instruction for a term not exceeding two years, as the court having jurisdiction may determine.

CHAPTER XXVII.

CONCERNING THE CITY SOLICITOR.

Section.

1. Election of city solicitor; qualifications; tenure of office.
2. Duties of city solicitor.

Section.

3. Annual report of business, completed and unfinished.
4. Compensation.

SECTION 1. Annually in the month of January, or as soon thereafter as may be, and whenever a vacancy occurs, there shall be chosen by ballot by the city council in joint convention, a city solicitor who shall be a resident of Taunton, and an attorney and counsellor in the courts of the commonwealth; he shall hold his office until his successor is elected, unless sooner removed; and shall be removable at the pleasure of the city council.

Elections.
Rev. charter
s. 9.
Qualification.

Tenure.

SECT. 2. It shall be his duty to prepare and draught all legal instruments of whatever nature, in which the city may be interested and which shall be at the city's expense; to commence all suits and actions required by any ordinance or by any order of the city council or either branch thereof, in which the city may be a party in interest, and appear for the city in the prosecution or defense of all causes in which it may be interested; to appear before the legislature of the commonwealth or either branch thereof or any committee of the same, whenever the interests of the city so require; to give his legal opinion and professional advice on any subject relating to the affairs of the city or the duties of any of its officers, whenever required by the mayor, board of aldermen, common council, or any joint or special committee of either branch thereof, or by any officer of the city government; and generally to perform those duties appertaining to said office as the legal adviser and attorney of the city.

Duties.

SECT. 3. He shall annually, before the close of the municipal year, make a report in writing to the city council of all suits or legal proceedings in which the city is interested, begun, pending or determined during the year next preceding the time of making said report, and of all unfinished business in his department, with such other information in relation thereto as the city council may direct or the interests of the city may require.

Annual Report

SECT. 4. He shall receive such annual compensation as the city council shall determine, and in addition thereto his reasonable traveling expenses, whenever his services are required out of the city.

Compensation.

CHAPTER XXVIII.

CONCERNING TELEGRAPH, TELEPHONE OR OTHER ELECTRIC WIRES.

Section.

1. Locating electric lines in the streets ; plan with specification of posts and certificate thereof.
2. Filing of plan and specifications in the office of city clerk. Location of wires and regulations concerning posts; dead wires to be removed; regulations as to the use of wires and removal of poles.

Section.

3. Employees to have certificate of authority, and to exhibit the same upon entry of premises.
4. Supervision of same to be exercised by the superintendent of fire alarm telegraph, who shall see that the ordinance is enforced.
5. Penalty.

Locating of electric lines.

Plan of location.

Certificate of location.

Filing.

Regulation of wires.

Removal of dead wires.

Regulation of poles.

Removal of poles and fixtures.

SECTION 1. Whenever the mayor and aldermen are applied to for a location of telegraph, telephone or other electric lines, they shall first determine the streets through which said lines shall run, and shall then require the company or person so applying to furnish a plan of the streets so designated therefor upon a scale of one hundred and fifty feet to the inch; and the mayor and aldermen shall then determine and specify on said plan where each pole shall be located and shall thereupon issue to the party applying therefor a certificate specifically enumerating the streets where lines may run and the location of each post thereon as exhibited by said plan, the kind of posts and the height at which all wires must be placed. Said plan and a copy of the certificate so made shall be filed in the office of the city clerk; and the construction of the line shall conform thereto in every particular and any post placed otherwise than therein designated shall be forthwith removed.

SECT. 2. Every such line of wire along or across streets, ways or other public places shall be placed under ground or at a height not less than twenty feet from the ground, the posts supporting the same shall be kept painted and of uniform color and every such line of wire shall be so constructed, placed and maintained as not to interfere with any other line nor with the operations of the fire department or the fire alarm telegraph, and all dead or unused lines of wire shall be forthwith removed. Whenever a certificate is issued by the mayor and aldermen to any person to locate electric lines within the public streets of the city, he shall not suffer or permit any other person to place or keep wires on the poles erected by him, under such certificate, or upon any of the fixtures belonging to him connected therewith, without a written permit first obtained from the mayor and aldermen; he shall not remove any pole erected under his certificate until, and shall remove any pole when, directed by the mayor and aldermen so to do; whenever he shall violate the terms

of his certificate or the ordinances relating thereto, the superintendent may after due notice remove the poles or any fixtures connected therewith at the expense of the owner, as he may deem the public interest require.

SECT. 3. Every employee, official or agent in the employ of any telegraph, telephone or electric company shall be furnished by the company with a certificate of his authority to act therefor, which shall be shown whenever access is desired to any premises, and no such employee, officer or agent who refuses or fails to exhibit such certificate, shall enter upon any premises within this city upon any business of the company appertaining to the laying or repairing of lines over, through or along said premises. Employee's
certificate.

Exhibit there-
of.

SECT. 4. The superintendent of the fire alarm telegraph shall have the supervision of all telegraph, telephone or other electric lines of wire within the city and shall see that all laws and ordinances relating thereto are enforced. Supervision.

SECT. 5. Whoever violates any of the provisions of this chapter, shall forfeit and pay a fine not exceeding twenty dollars for each offence. Penalty.

CHAPTER XXIX.

CONCERNING WARDS.

Section.

1. Division of the city into eight wards re-affirmed; boundaries.

Section.

2. Each ward entitled to one alderman and three councilmen; how elected; vacancy, how filled.

SECTION 1. The division of the city into eight wards is hereby re-affirmed; and, until alteration shall be made by the city council, shall remain as heretofore established with boundaries as follows:

WARD ONE.

Boundaries of
Ward One.

Beginning in the centre of the railroad at the centre of Danforth street; from thence southerly following the centre of the railroad to Somerset avenue; thence southerly to a turn at the west side of Wright's pottery; thence southwest to the centre of Somerset avenue at the centre of Highland street; thence northwesterly following the centre of Highland street to the centre of the north fork of Oak street; thence northerly to the centre of Tremont street at the centre of Danforth street; thence easterly following the centre of Danforth street to the place of beginning.

WARD TWO.

Boundaries of
Ward Two.

Beginning in the centre of the railroad at the centre of Danforth street; thence in line of ward eight east to the centre of Mill river; thence southerly by Mill river to the centre of Spring street; thence southwesterly by the centres of Spring street, Bow street and Somerset avenue to the centre of the railroad; thence northerly by the railroad to place of beginning.

WARD THREE.

Boundaries of
Ward Three.

Beginning at the northeast corner of ward two in the centre of Mill river; thence east by ward eight to the centre of School street at Lane's avenue; thence southerly and easterly following the centres of School, Main, Summer and Spring streets to Mill river; thence northerly by Mill river to the place of beginning.

WARD FOUR.

Boundaries of
Ward Four.

Beginning at the northeast corner of ward three in the centre of School street at Lane's avenue; thence east by ward eight to Raynham line; thence southerly by Raynham line to the Taunton river; thence down stream in the centre of said river to the railroad near Weir Village; thence

northerly by the railroad to the centre of Somerset avenue ; thence by the centres of Somerset avenue, Bow, Spring, Summer, Main and School streets to the place of beginning.

WARD FIVE.

Beginning at the southeast corner of ward four in the centre of the river at the centre of the railroad near Weir Village ; thence southerly by the centre of the railroad to the line of Berkley ; thence by the lines of Berkley, Lakeville, Middleboro and Raynham to the corner of ward four by the river ; thence by the centre of Taunton river to the place of beginning.

Boundaries of
Ward Five.

WARD SIX.

Beginning in the centre of the railroad at the centre of Somerset avenue ; thence southerly by the railroad and wards four and five to the line of Berkley ; thence northwesterly by Berkley to the centre of Taunton river ; thence northerly by ward seven to the centre of Somerset avenue thirty-six and one-half ($36\frac{1}{2}$) rods southwest from the centre of Highland street ; thence northeast by the centre of Somerset avenue thirty-six and one-half ($36\frac{1}{2}$) rods to the centre of Highland street ; thence northerly by ward one to a turn at the west side of Wright's pottery ; and thence to the centre of Somerset avenue at the centre of the railroad, the place of beginning.

Boundaries of
Ward Six.

WARD SEVEN.

Beginning at the centre of the Mansfield section of the Old Colony railroad where it crosses the line of Norton ; thence southerly by the centre of the railroad to the centre of Danforth street ; thence by the centre of Danforth street to the centre of Tremont street ; thence by the line of ward one to the centre of Highland street opposite the centre of the north fork of Oak street ; thence southerly by the centre of Highland street to the centre of Somerset avenue ; thence southwesterly by the centre of Somerset avenue thirty-six and one-half ($36\frac{1}{2}$) rods ; thence by ward six to Taunton river ; thence by the lines of Berkley, Dighton, Rehoboth and Norton to the place of beginning.

Boundaries of
Ward Seven.

WARD EIGHT.

Beginning at the centre of the railroad at the Norton line, being the northerly corner of ward seven ; thence southerly by the centre of the railroad to the centre of Danforth street ; thence easterly in a straight line by wards two, three and four, crossing School street at Lane's avenue, to Raynham line ; thence by the lines of Raynham, Easton and Norton to place of beginning.

Boundaries of
Ward Eight.

Representation. **SECT. 2.** Each ward shall be entitled to one alderman and three common councilmen, to be elected by and from the voters thereof, who shall be residents of the wards respectively in which they are elected. If a vacancy occurs in case of a failure to elect by death, removal or otherwise, a declaration thereof shall be entered upon the records of the board wherein the vacancy occurs, and the mayor and aldermen shall forthwith order a new election for the unexpired term.

Qualifications.

Vacancies.

DIVISION OF WARDS ONE AND EIGHT INTO PRECINCTS.

By Statute of 1884 Chapter 299 Section 3, the mayor and aldermen were authorized to divide into two precincts any ward containing more than five hundred and not more than eight hundred voters.

Order. Under this Statute, by an order of the mayor and aldermen dated June 30, 1884, upon a report of a committee of that board *ward one* was divided into voting precinct, as follows:

Boundaries of precinct "A" and "B." Ordered that ward one of said city be and hereby is divided into two voting precincts in accordance with the requirements of Chapter 299 of the laws and resolves for the year 1884: said precincts shall be known as "Precinct A" and "Precinct B" respectively. Precinct A shall include all of said ward which lies north and Precinct B all of said ward which lies south of the following described lines:

Division line defined. Beginning in the east line of Highland street, at a point two hundred thirty one and one-half (231.50) feet south of the south line of Florence street; thence north 86 degrees 40 minutes east ten hundred sixty-four (1064) feet to the west line of Anderson street at a point four hundred thirty-one and one-half (431.50) feet south of Oak street; thence north 68 degrees 47 minutes east two thousand four hundred fifty-two and six tenths (2452.60) feet to the centre of Vernon street at an angle in Vernon street; thence north 62 degrees 11 minutes east one thousand seven hundred seventy and four tenths (1770.40) feet to the Old Colony Railroad crossing Mason street about eighty feet south of Myrtle street. It is further ordered that the city clerk be and hereby is directed to post forthwith a copy of the above description of the aforesaid division in at least ten of the most public places in each of said precincts, and also to furnish a reasonable number of copies of said description to the registrars of voters, the assessors of taxes and the election officers of said precincts. [*Report accepted and order adopted. Approved by the Mayor.*]

Order. And subsequently by an order of the mayor and aldermen, approved June 16, 1888, upon the report of a committee of that board, *ward eight* was divided into voting precincts, as follows, viz.:

Boundaries of precinct "A" and "B." Ordered that ward eight of said city be and hereby is divided into two voting precincts in accordance with the requirements of Chapter 299 acts of 1884; said precincts shall be known as Precinct A and Precinct B respectively. Precinct A shall include all of said ward lying north, and Precinct B all of said ward lying south of the following described lines, viz.: beginning in the line of the Old Colony Railroad in West Britannia street; thence by said railroad to Mill river thence by a line in the centre of said river to Martel avenue; thence by a line in the centre of Martel avenue to Cottage street; thence by a line in the centre of Cottage street to State street; thence by a line in the centre of State street to Bay street; thence by a line in the centre of Bay street to the junction of Bay and East Britannia streets; thence by a line in the centre of East Britannia street to the division line between Taunton and Raynham. It is further ordered that the city clerk be and hereby is directed to post forthwith copies of the description of the aforesaid division in at least ten of the most public places in each of the precincts of said ward, and also to furnish a reasonable number of copies of such description to the registrars of voters, assessors of taxes, and to the election officers of the above precincts. [*The report was accepted and order adopted. Approved by the Mayor.*]

NOTE.

Statute 1890 Chapter 423—being a revision of Election Laws—repealed Statute 1884 Chapter 299, but it renewed the provision concerning precincts required by Section 69 of said Chapter 423. .

CHAPTER XXX.

CONCERNING WARRANTS.

Section.

1. The form of warrants for ward meetings.

2. The form of warrants for general meetings.

Section.

3. Warrants, by whom issued and by whom signed and the service thereof; when meetings to be opened and closed to be specified.

Form for ward meetings.

SECTION 1. The form of warrants for calling meetings of the citizens of the several wards and precincts thereof, shall be as follows:

CITY OF TAUNTON.

To the Chief of Police or either of his Deputies or either of the Constables of said city,

GREETING:—

In the name of the Commonwealth of Massachusetts you are hereby required forthwith to warn the citizens of Ward _____ Precinct _____ qualified to vote as the law directs, to assemble at _____ on the _____ day of _____ at _____ o'clock in the _____ noon, and from that time until _____ o'clock in the _____ noon, then and there to give their ballots for _____

Hereof fail not, and then have you there this warrant with your doings thereon.

Witness, _____ Mayor of our City of Taunton, this _____ day of _____ in the year of our Lord one thousand eight hundred and ninety _____. By order of the Mayor and Aldermen.

[City Seal.]

_____ City Clerk.

Form of general meetings.

SECT. 2. The form of warrants for calling general meetings of the citizens, shall be as follows:

CITY OF TAUNTON.

To the Chief of Police or either of his Deputies or either of the Constables of said city,

GREETING:

In the name of the Commonwealth of Massachusetts, you are required forthwith to warn the citizens of Taunton qualified to vote as the law directs, to assemble in general meeting at _____ on _____ the _____ day of _____ at _____ o'clock in the _____ noon, then and there to _____.

Hereof fail not, and then have you there this warrant with your doings thereon.

Witness, _____ Mayor of our City of Taunton, this _____ day of _____ in the year of our Lord one thousand eight hundred and ninety _____. By order of the Mayor and Aldermen.

[City Seal.]

_____ City Clerk.

Issue of war-)
rants.
Rev. charter
sec. 6, 18, 19.

SECT. 3. All warrants, calling general or ward or precinct meetings, shall be issued by the mayor and aldermen, witnessed by the mayor, or in his absence by the chairman of the

board of aldermen, and signed by the city clerk ; and shall be served seven days at least before the holding of such meetings by any officer to whom they are directed, by posting copies thereof in such public places, or by publishing the same in one or more newspapers of the city, as the mayor and aldermen direct. The officer serving such warrant shall seasonably return the same with his doings thereon to the city clerk, if it be for a general meeting, otherwise to the warden of the ward or precinct named therein ; and all warrants calling meetings for the election of national, state, district and county officers shall specify the time when the polls shall be opened and closed, that the polls shall be kept open at least six hours, and that such officers shall be voted for on one ballot.

Service.

Return of
service.Specifications
of warrants.

CHAPTER XXXI.

CONCERNING THE WATER WORKS.

Section.

1. Election of water commissioners.
2. Organization of board; choice of president and clerk; duties and powers of the board; compensation; agents; tariff of water rates; supervision of works and repairs.
3. Duties of the clerk. Title "Taunton Water Works." Books of account and entries book; collection of bills and accounts; enforcement of rules.
4. The board or their agents may enter premises of water takers to examine apparatus, etc. and prevent waste; exhibit of permit required.

Section.

5. The board audit all bills and certify for payment.
6. Trespasses upon works or equipments prohibited; penalty therefor.
7. Plumbers and pipe fitters to be licensed by the board; to give bonds; inspection of the work of unlicensed persons; unlicensed connections prohibited; penalty.
8. Financial year to begin December 1st; annual report to be made in December.

Election.

SECTION 1. The board of water commissioners as heretofore established by virtue of the two hundred and seventeenth chapter of the acts of the year one thousand eight hundred and seventy-five, entitled, "An act to provide the City of Taunton with pure water," is hereby continued with all the powers and subject to all the provisions of said act, and the acts in addition thereto, and there shall annually be chosen in the month of January and whenever a vacancy occurs, by the city council in convention one commissioner for the term of three years or the residue of said term as the case may be and until his successor is chosen, who shall be duly sworn to the faithful discharge of the duties of the office.

Vacancies.

Tenure.

Organization.

President.

Clerk.

Clerk's bond.

Duties and powers.

Appointment of agents.

Compensation.
Rules.

SECT. 2. The said commissioners shall annually as soon as may be after the election of a commissioner, meet and organize as a board by the choice of one of their number as a president, and they shall annually, and whenever a vacancy occurs, make choice of a clerk, not a member of said board, subject to removal by said board, who shall be duly sworn and shall give bond with sureties, approved by the board for the faithful discharge of the duties of his office, and said bond shall be forthwith filed in the office of the city clerk; said board shall superintend and direct the execution and performance of all works, matters and things mentioned in the first three sections of said act or in any act in amendment thereof or addition thereto, subject to such ordinances, rules and regulations as the city council may establish and shall appoint and employ all necessary assistants and agents and remove the same at pleasure and fix their compensation excepting the clerk of the board who shall receive such compensation as the city council may determine. Said board may prescribe rules and regulations for the inspection, materials, construction, alteration or use of water pipes and

water fixtures, subject to the revision or revocation of the city council, but shall not exercise the power of imposing penalties therefor, and they may determine and establish from time to time a tariff of water rates and make such rules relating thereto as the interests of the city require. Said board shall have charge of, and exercise a general supervision over the water works and all the property, material and appurtenances thereto belonging, and are authorized to make all necessary repairs for the effectual distribution of pure water under the provisions of said acts, subject always to the rules and orders of the city council.

SECT. 3. The clerk shall be the recording officer of the board and under the direction of the board shall have the care and custody of all books, plans, documents and other appurtenances of the office of the board. The works in charge of said board shall bear the designation of "The Taunton Water Works" and the clerk shall keep in a neat and methodical manner and as the board may direct a complete set of books, and shall enter therein under appropriate headings all receipts and expenditures of said water works. He shall keep suitable books wherein shall be entered the names of all persons taking water, the buildings into which entries are made and brief descriptions thereof so far as appertains to such entries, with the name of the street and the numbers thereof, and the uses to which water is applied, the number of taps and the amount of rates charged, with the amount and circumstances of any abatement thereof. Said books shall always be open to the inspection of the board and the city council, or either branch or any committee thereof. He shall make out and collect all bills for the use of water and all accounts and moneys due the water works, and shall pay over all sums of money so received on the last Saturday of each month, and oftener at his convenience to the city treasurer who shall place the same to the credit of the Taunton Water Works. He shall see that the rules and regulations of the board and of the city council relating to the use of water are strictly observed and fully enforced, and shall perform such other services appertaining to his office as may be required of him by the board or city council.

SECT. 4. The board or their clerk or agents as they may direct, may enter upon the premises of any water taker to examine the water fixtures or other apparatus, to ascertain the use of water thereon, and the amount thereof used, the waste of water thereon, and shall use all suitable means to prevent the waste and unauthorized use of water supplied from said water works; but any officer or agent of the board, entering upon any premises shall show upon his first entry thereof and afterwards if requested, a written permit from said board authorizing such entry.

SECT. 5. The board shall examine all accounts, bills or claims against the water works, and if found by them correct

Tariff of rates.

Supervision.

Repairs.

Clerk's duties.

Title "Taunton Water Works" Books.

Entry book.

Inspection of books.

Collections.

Payment to treasurer.

Enforcement or rules.

Authority to inspect premises of water-takers.

Prevention of waste.

Exhibit of entry permit.

Auditing of accounts.

and justly due and in proper form they shall certify the same in writing for payment. And the committee on accounts shall allow no accounts, bills or claims against the water works unless so certified.

Trespasses
prohibited.

SECT. 6. No person shall injure any public reservoir, conduit, pipe, hydrant, fountain, watering-trough, water-meter or other equipment connected with the Taunton Water Works, nor break and enter the same, nor draw or cause to be drawn any water therefrom; nor turn on or off the water in any such reservoir, conduit, pipe, fountain, watering-trough, water meter or other equipment; nor make any opening or connection therewith without the license or authority of the board, or of the chief engineer of the fire department, cases of fire excepted. Nor in case of fire except by authority of the officer of the fire department then and there in command or under his direction. Whoever violates any provision of this section shall for each offence forfeit and pay a sum not exceeding twenty dollars.

Fire engineer's
authority.

Penalty.

Licensing of
plumbers.

SECT. 7. The board are authorized to license plumbers and pipe fitters to make connection with any water-pipe or hydrant and to do work necessarily connected therewith, provided that every person applying for such license shall give a bond in the sum of five hundred dollars satisfactory to the board, binding himself to conform to the rules and regulations of said board and to save harmless the city from all damage or expense accruing from his negligence or defective work, and plumbing or pipe-fitting work, done in connecting any water-pipe or hydrant by other than a person duly licensed as aforesaid shall be subject to inspection by the board or its agent at the applicant's expense before water is let on. No person shall make any connection as aforesaid without being licensed as aforesaid, or without an order from the board granting the same. Any person violating the provisions of this section shall for each offence forfeit and pay a sum not exceeding twenty dollars.

Bond.

Condition of
bond.

Inspection of
unlicensed
plumbing.

Unlicensed
service pro-
hibited.

Penalty.

Financial year.

Annual report.

SECT. 8. The financial year in all matters relating to the water works shall begin on the first day of December, and the books and accounts shall be made to conform thereto, and the board shall during the month of December make report of their doings for the year preceding and of the condition of the water works, with such details and recommendations relating thereto as they may deem proper and shall further report at such times and upon such matters relating thereto as the city council may order.

CHAPTER XXXII.

CONCERNING THE REVISED ORDINANCES.

Section.

1. Revised ordinances and repeal of old ordinances to take effect January 1, 1892.

Section.

2. Limitation of repeal; corresponding provisions of previous ordinances continued by this revision. This revision to be known as "The revision of 1891."

SECTION 1. All the foregoing ordinances having been revised and compiled under the direction and supervision of a joint special committee of the city council, are hereby declared to be the ordinances of the City of Taunton, and shall take effect as such on the first day of January in the year eighteen hundred and ninety-two, and all other ordinances heretofore passed by the city council are hereby repealed, but such repeal shall not take effect until said revised ordinances take effect as above set forth.

Adoption of this revision.

Takes effect January 1, 1892

Repeal.

SECT. 2. The repeal of all prior existing ordinances, or any clauses, parts or provisions thereof, shall not revive any former ordinance or any clause or provision therein repealed by such prior existing ordinance. Said repeal shall not affect any act done, any right accrued, accruing or established, the tenure of office of any person holding office at the time these ordinances take effect, or any forfeiture or penalty heretofore incurred under and by virtue of any prior existing ordinance; and these ordinances are intended and are hereby declared to be a continuation of the ordinances hereby repealed, so far as the foregoing ordinances conform to such ordinances so repealed, the foregoing ordinances being intended for and being a revision and compilation of all the ordinances of the City of Taunton, and shall be known as "The Revised Ordinances of 1891."

Limitation of repeal.

Continuation of previous ordinances.

IN COMMON COUNCIL, December 31, 1891.

Passed to be ordained and sent up:

HENRY W. COLBY,
President of Common Council.

IN BOARD OF ALDERMEN, December 31, 1891.

Passed to be ordained and approved:

FRANCIS S. BABBITT, *Mayor.*

STANDING RULES AND ORDERS

OF THE

CITY COUNCIL

AND EACH BRANCH THEREOF.

JOINT RULES AND ORDERS OF THE CITY COUNCIL.

Section.

1. Appointment of joint standing committees; list, of whom composed.
2. Chairman of committees; meeting, how called.
3. Records of committees.
4. Auditing, method of.
5. Reports, how made.
6. Terms, "ordered." "resolved," how applied.
7. Committees of conference.
8. Concurrence in adjournment.
9. Reconsideration after final passage regulated.

Section.

10. Messages between the boards.
11. Notice of adjournment, both boards being in session.
12. Convention of both branches, how limited.
13. Presentation for approval to mayor.
14. Readings in the several boards; enrollment and ordaining of ordinances; signature of presiding officers and mayor.
15. No amendment after enrollment.
16. Calling of special meetings.

COMMITTEES.

SECTION 1. The following joint standing committees shall be annually appointed by the presiding officer of each branch, namely:

1. *Finance*, to consist of the mayor, one alderman, the president and four members of the common council.
2. *Accounts*, to consist of two aldermen and three members of the common council.
3. *Public property*, including burial grounds, to consist of two aldermen and five members of the common council.
4. *Street lights*, to consist of two aldermen, and three members of the common council.
5. *Printing*, to consist of one alderman, and two members of the common council.
6. *Public instruction*, to consist of the mayor, two aldermen, and three members of the common council.
7. *Claims*, to consist of the mayor, one alderman, and three members of the common council.

8. *Ordinances*, to consist of the mayor, one alderman, and three members of the common council.

9. *Water works*, to consist of the mayor, one alderman, the president, and three members of the common council.

10. *Fire department*, to consist of two aldermen and three members of the common council.

11. *Enrolled bills*, to consist of two aldermen and three members of the common council.

12. *Streets and bridges*, to consist of the mayor, three aldermen and three members of the common council.

13. *Drains and sewers*, to consist of the mayor, three aldermen and three members of the common council.

SECT. 2. The mayor or alderman first named on every joint committee shall be its chairman; in case of the resignation, absence, or inability of the chairman, the other members in the order in which they are named respectively shall act as chairman. Meetings of committees may be called by the chairman, or by the city clerk upon the written request of three members of the committee.

SECT. 3. Joint standing committees shall cause records to be kept of their proceedings in books provided by the city for that purpose. No committee shall act by separate consultation and no report shall be received unless agreed to in committee actually assembled.

SECT. 4. No chairman of any committee or board shall audit or approve any bill or account against the city for any supplies or services which shall not have been ordered or authorized by the committee or board, except as provided by ordinance.

SECT. 5. All joint committees may report by ordinance, resolve or otherwise, and may make their reports to either branch thereof.

ORDINANCES, ORDERS, AND RESOLVES.

SECT. 6. In all votes when either branch expresses anything by way of command, the form of expression shall be "ordered," and when either branch expresses opinions, principles, facts or purposes, the form shall be "resolved."

SECT. 7. In every case of an ordinance, or joint resolution or joint order, or an amendment thereof agreed to in one board, and dissented from by the other, a conference may be had at the request of either. Committees of conference shall consist of three members on the part of each branch of the city council, representing its vote, and the committee appointed for the purpose shall meet as soon as convenient, state the views of the two boards for and against the measure or amendment, and confer freely thereon. The report shall be in writing and may be first presented in either branch thereof.

SECT. 8. Either board may propose to the other for its concurrence, a time to which both boards shall adjourn.

SECT. 9. No vote by which a joint order or resolution or ordinance has been passed in its final stage shall be reconsidered by either board after the same has finally been acted upon in the other board, unless a motion for reconsideration be made, or notice thereof be given, at the same meeting at which the vote on its final stage be passed.

SECT. 10. All messages between the two boards shall be reduced to writing by their respective clerks and transmitted by them or through the messenger.

SECT. 11. When the two boards are both in session it shall be the duty of each before adjourning to give notice of its intention so to do, to the other branch of the city council.

SECT. 12. When a convention of the two branches of the city council has been agreed upon for any specific purpose, no other business shall be transacted in said convention unless by unanimous consent.

SECT. 13. Whenever an ordinance, order, resolution or vote shall be passed by the board of aldermen, or by the concurrent vote of the board of aldermen and common council, which is required by law to be presented to the mayor, the city clerk shall present the same after its passage without unnecessary delay, and shall enter upon the record of the board of aldermen the day upon which the same was presented and approved.

SECT. 14. An ordinance shall have as many readings in each board as the rules of that board require, after which the question shall be on passing the same to be enrolled, and if so passed, it shall be sent to the other board for concurrence; and when such ordinance has passed to be enrolled in each board, the same shall be enrolled by the city clerk and examined by the joint committee of the city council on enrolled bills; and on being found by said committee to be correctly enrolled the same shall be reported to the council when the question shall be on passing the same to be ordained; and when said ordinance has so passed to be ordained, it shall be signed by the president of the common council and sent to the other board, and after being reported to that board as having been correctly enrolled, the question shall be on passing the same to be ordained; and when the same has passed to be ordained it shall be signed by the mayor.

SECT. 15. No ordinance shall be amended after its enrollment.

CALLING OF SPECIAL MEETINGS.

SECT. 16. Special meetings of the city council may be called by the mayor, or by the city clerk upon the written request signed by three members of the board of aldermen, and five members of the common council, by causing notices thereof to be sent by the city clerk to each member of the city council.

RULES AND ORDERS OF THE BOARD OF ALDERMEN.

Section.

1. Meetings, regular and special; majority a quorum.
2. Mayor's functions as presiding officer; quorum must vote.
3. Mayor may designate presiding officer; chairman being absent.
4. When vote taken by yeas and nays.
5. The order of propounding questions and motions fixed.
6. Motions stated, how disposed of.
7. Priority of motions fixed in debate. Form and effect of previous question.
8. Right to floor, how determined.
9. Conduct of speakers in debate.
10. Interruptions forbidden.
11. Members not to vote on matters of private interest; otherwise voting required, unless excused.

Section.

12. Reconsideration regulated.
13. Order of business at regular meetings.
14. Petitions for appointment by the mayor with concurrence of board, to be referred without debate.
15. Standing committees; list, of whom composed.
16. Appointment of committees.
17. Two readings, when required.
18. Duties of clerk as presiding officer, as recording officer. Clerk *pro tempore* when and how appointed and qualified.
19. The suspension, repeal and amendment of rules regulated.

MEETINGS, QUORUMS, PROCEEDINGS.

SECTION 1. Regular meetings of this board shall be held on such evenings in each month as shall be fixed by a standing order of the board. Special meetings of the board may be called by the mayor when he deems it necessary, or by the city clerk upon a written request signed by three members of this board, by causing notices to be sent by the city clerk to each member thereof. At all meetings a majority shall constitute a quorum for the transaction of business.

SECT. 2. The mayor shall at the hour appointed for the meeting call the members to order, and a quorum being present, shall cause the records of the preceding meeting to be read. In the absence of the mayor, or at his request, the chairman of the board shall preside; and in the absence of both, a chairman *pro tempore* shall be chosen. He shall preserve decorum and order, may speak to points of order in preference to members; shall decide all questions of order subject to an appeal to the board, by motion, regularly seconded, and no other business shall be in order till the question on the appeal shall have been decided. He shall declare all votes, but if any member doubt the vote, the chair, without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to rise and stand until they are counted, and he shall then declare the result, but no such declaration shall be made unless a quorum of the board shall have voted.

SECT. 3. The mayor may, in the absence of the chairman of the board, call upon any member to preside.

SECT. 4. On all questions and motions, the chair shall take the sense of the board by yeas and nays, whenever any two members present shall so request.

SECT. 5. The chair shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature except that in naming sums and fixing times, the largest sum, and the longest time shall be first put; and when a motion is made to refer any subject, and different committees are proposed, the question shall be taken in the following order:

1. To a standing committee of the board.
2. To a select committee of the board.
3. To a joint standing committee of the city council.
4. To a joint select committee of the city council.

SECT. 6. After a motion is stated or read by the chair it shall be deemed to be in possession of the board, and shall be disposed of by vote; but the mover may, by unanimous consent, withdraw it at any time before a decision or amendment.

SECT. 7. When a question is under debate the chair shall receive no motions except to adjourn,— to lay on the table,— the previous question,— to postpone to a day certain,— to commit,— to amend,— or to postpone indefinitely; which several motions shall have precedence in the order herein stated, and the first three shall be decided without debate. He shall put the previous question in the following form: "Shall the main question be now put?" and all further amendments or debate of the main question shall be suspended, until the previous question be decided.

SECT. 8. When two or more members rise at the same time, the chair shall name the member who shall first be heard.

RIGHTS AND DUTIES OF MEMBERS.

SECT. 9. Every member when about to speak shall rise and respectfully address the chair; shall confine himself to the question under debate, and shall avoid personalities.

SECT. 10. No member speaking shall be interrupted by another but by rising to a point of order or for explanation.

SECT. 11. No member shall be permitted to vote on any question, or serve on any committee, where his private interest is immediately concerned, distinct from that of the public; and every member, except as above, who shall be in the board when a question is put, shall vote, unless the board for special reasons excuse him.

SECT. 12. A question having been taken it shall be in order for any member to move a reconsideration thereof at the same meeting; or any member may give notice of his intention to move a reconsideration at the next meeting, and if such notice be given, no subsequent motion thereupon, to reconsider the pending question, shall be entertained; but no more than one motion for the reconsideration of any vote shall be permitted.

ORDER OF BUSINESS.

SECT. 13. At every regular meeting of the board the order of business shall be as follows :

1. Reading of the record.
2. Communications from the mayor.
3. Papers from the common council.
4. Communications and reports from city officers.
5. Presentation of petitions, memorials and remonstrances.
6. Reports of committees.
7. Unfinished business of preceding meetings.
8. Motions, orders, or resolutions.

The above order of business shall not be departed from except by a vote of a majority of the members of the board present.

SECT. 14. All petitions for appointments that are made upon nomination of the mayor and confirmation of the board, shall, when received, be referred to the mayor without debate.

COMMITTEES.

SECT. 15. There shall be appointed standing committees, as follows :

1. A committee on police and licenses, to consist of the mayor and two aldermen.
2. A committee on elections and returns, to consist of three aldermen.
3. A committee on streets and bridges, to consist of the mayor and three aldermen.
4. A committee on armory and military aid to consist of three aldermen.
5. A committee on drains and sewers, to consist of the mayor and three aldermen.
6. Such committees on the part of this board as may be required by the joint rules and orders of the city council.

SECT. 16. All committees shall be appointed and announced by the mayor, except such as the board of aldermen shall determine to elect by ballot.

ORDINANCES, RESOLUTIONS, AND ORDERS.

SECT. 17. Every ordinance and all resolutions and orders which impose penalties, or involve the raising, appropriation or expenditure of money, shall have two several readings before they shall be finally passed ; and no ordinance, nor any order or resolution authorizing a loan, shall have more than one reading on the same day, except under a suspension of this section.

DUTIES OF THE CLERK.

SECT. 18. In the absence of the mayor and the chairman of the board, the clerk, and in his absence the senior member present, shall call the board to order, and preside until a chairman *pro tempore* shall be chosen. The clerk shall attend and keep the records of all meetings of the board, record the names of the members present, and have the care and custody of the city records, and of all documents, maps, plans and papers appertaining to the proceedings of the board, when no other provision is made therefor. He shall, whenever requested by the mayor or chairman, read such ordinances, orders, resolutions, petitions, or other papers as may be presented, for the information of the board. In the absence of the clerk a clerk *pro tempore* shall be chosen by the board, who shall be sworn to the faithful performance of his duties.

ALTERATION OR SUSPENSION OF RULES AND ORDERS.

SECT. 19. No standing rule or order of this board shall be suspended unless two thirds of the members present shall consent thereto; nor shall any rule or order be repealed or amended without at least one day's notice being given of the motion therefor, nor unless a majority of the whole board shall concur therein.

RULES AND ORDERS OF COMMON COUNCIL.

Section.

1. Meetings regular and special.
2. The president, his duties.
3. The appointment of a president *pro tem*.
4. The president's authority.
5. The declaration and determination of vote.
6. Mode of address.
7. The president's right to call to the chair; to preside in the committee of the whole; to offer statements and opinions on questions of order.
8. Order of propounding questions.
9. Priority of motions fixed in debate.
10. Certain motions not debatable.
11. Form and effect of previous question.
12. Incidental questions of order, when not debatable.
13. Right to floor, how determined.
14. Appointment of committees.
15. The president's vote.
16. Order of business at regular meetings.
17. Conduct of speakers in debate.
18. Personal designation forbidden.
19. Disorder or interruptions restrained and regulated.

Section.

20. Speaking limited.
21. When vote taken by yeas and nays.
22. All motions in writing when required.
23. A question divisible, to be divided, on call.
24. Reconsideration regulated.
25. Suspension, repeal and amendment of rules regulated.
26. Reading of papers regulated.
27. Designation of seats.
28. No member to act when privately interested.
29. Members to retain their places until adjournment.
30. Ballot required for election of salaried officers.
31. Addresses to council how made and disposed of.
32. Standing committees; list; of whom composed.
33. Duties of committee on bills in second reading.
34. When two readings required.
35. Committees in session during council session forbidden.
36. Duties of clerk.

NOTE.

"A majority of each board shall constitute a quorum for business."
(City Charter, Section 2.)

MEETINGS.

SECTION 1. Regular meetings of the council shall be held on such evening in each month as shall be fixed by a standing order of the council. Special meetings of the council may be called by the mayor, or by the city clerk, upon a written request signed by five members of this board, by causing notice to be sent by the city clerk to each member thereof.

DUTIES OF THE PRESIDENT.

SECT. 2. The president shall take the chair at the hour to which the council has adjourned or been called together; he shall call the members to order, and on the appearance of a quorum proceed to business.

SECT. 3. In the absence of the president, the senior member present shall call the council to order, and preside until a president *pro tempore* is chosen by ballot. If no member

receives a majority of the votes on the first ballot, upon the second a plurality shall elect.

SECT. 4. He shall preserve order and decorum; he may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the council, on the motion of any member regularly seconded.

SECT. 5. He shall declare all votes; but if any member doubt the vote, the president, without debate, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and shall then declare the result.

SECT. 6. He shall rise to address the council or to put a question, but may read sitting.

SECT. 7. The president may call any member to the chair, who may preside for one meeting. When the council decides to go into committee of the whole, the president shall appoint the chairman. The president may express his opinion on any subject under debate only by leaving the chair, and appointing a member to take it; and in such case he shall not resume the chair while the question is pending, provided the same is taken previous to adjournment. But the president may state facts and give his opinion on questions of order, without leaving his place.

SECT. 8. He shall propound all questions in the order in which they are moved, unless the subsequent motion is previous in its nature; except that in naming sums and fixing time to fill blanks, the largest sum and the longest times shall be put first.

SECT. 9. When a question is under debate, the president shall receive no motion but—

To adjourn,—to lay on the table,—for the previous question,—to postpone to a day certain,—to commit,—to amend,—or to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged.

SECT. 10. The motion to adjourn, when to adjourn simply, the motion to lay on, or take from the table, for the previous question, and for the yeas and nays, shall be decided without debate.

SECT. 11. He shall put the previous question in the following form—“Shall the main question be now put?” and all debate upon the main question and pending amendments shall be suspended until the previous question is decided. After the adoption of the previous question, the vote shall forthwith be taken upon pending amendments in their regular order, and then upon the main question.

SECT. 12. All incidental questions of order arising after a motion is made for the previous question shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the council.

SECT. 13. When two or more members rise at the same time, the president shall name the member who is to speak first.

SECT. 14. All committees shall be appointed and announced by the president, unless otherwise provided for, or especially directed by the council.

SECT. 15. In all cases the president may vote.

RIGHTS AND DUTIES OF MEMBERS.

SECT. 16. At every regular meeting of the council, the order of business shall be as follows, viz :

1. Calling the roll of members.
2. Reading the journal of the previous meeting.
3. Papers from the board of mayor and aldermen.
4. Unfinished business of preceding meetings.
5. Communications and reports from city officers.
6. Presentation of petitions, memorials and remonstrances.
7. Reports of committees.
8. Motions, orders or resolutions.

The above order shall not be departed from but by a vote of a majority of the council present.

SECT. 17. When a member is about to speak in debate or deliver any matter to the council, he shall rise in his place, and respectfully address the presiding officer ; shall confine himself to the question under debate, and avoid personalities. He shall sit down as soon as he is done speaking.

SECT. 18. No member in debate shall mention another member by name, but may describe him by some designation intelligible and respectful.

SECT. 19. No member shall be interrupted while speaking but by a call to order. When a member is called to order he shall immediately sit down, unless permitted to explain ; and the council, if appealed to, shall decide in the case without debate ; and if the decision is against the member, he shall not be permitted to speak unless by way of excuse for the same, until he has made satisfaction.

SECT. 20. During debate, if objection, is made thereto, no member shall speak more than twice to the same question without leave of the council nor more than once until all other members choosing to speak have spoken.

SECT. 21. The vote on all questions shall be taken by yeas and nays, when one third of the members present are in favor of it.

SECT. 22. Every motion shall be reduced to writing if requested by the president or any member of the council.

SECT. 23. Any member may require the division of a question when the sense admits of it.

SECT. 24. A question having been taken it shall be in order for any member to move a reconsideration thereof at the same meeting ; or any member may give notice of his

intention to move a reconsideration at the next meeting, and if such notice be given, no subsequent motion thereupon, to reconsider the pending question, shall be entertained: but no more than one motion for the reconsideration of any vote shall be permitted.

**SUSPENSION, REPEAL AND AMENDMENT OF RULES
REGULATED.**

SECT. 25. No rule or order of the council shall be suspended unless three fourths of the members present consent thereto; nor shall any rule or order be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the whole council concur therein.

SECT. 26. The reading of any paper, when objected to shall be determined by a vote of the council.

SECT. 27. The seats of the council board shall be numbered, and assigned by lot; no member shall change his seat but by permission of the president.

SECT. 28. No member shall be allowed to vote, or serve on any committee, on any question where his private right is concerned.

SECT. 29. The members of the council shall not leave their places on adjournment until the president declares the council adjourned.

SECT. 30. All salaried officers shall be chosen by ballot.

SECT. 31. All memorial and other papers addressed to the council, shall be presented by the president, or by a member in his place, who shall explain the subject thereof, and they shall be disposed of in the order in which they are presented, unless the council otherwise directs.

SECT. 32. Standing committees shall be appointed on the following subjects, viz: on streets and bridges, on drains and sewers, on elections, on bills in the second reading, and on enrolled bills, each to consist of three members.

SECT. 33. It shall be the duty of the committee on bills in the second reading to carefully examine all bills which pass to the second reading, to see that they are in technical form and that their provisions are not repugnant to the laws and constitution of the Commonwealth, or to the charter and ordinances of the city.

SECT. 34. Ordinances, resolutions, and all orders which impose penalties, or involve the raising, appropriation or expenditure of money, shall have two several readings before they are finally passed by the council; and no ordinance, resolution or such order, except an order for printing, shall have more than one reading on the same day, except under a suspension of this section.

SECT. 35. No committee shall sit during the meeting of the council without special leave.

DUTIES OF THE CLERK.

SECT. 36. The clerk shall keep minutes of the votes and proceedings of the council, and enter thereon such orders and resolutions as are adopted; shall notice reports, petitions, memorials, and other papers which are presented, and shall enter all accepted reports of select committees of the council at length, in a separate journal to be kept for that purpose, and provided with an index; shall furnish the chairman of every committee with the names of the members comprising the same, and shall attend the meetings of the committees of the council, and make their records when required.

NOTE.

"Cities and towns may by ordinary vote incur debts for temporary loans in anticipation of taxes of the year in which such debts are incurred, and expressly made payable therefrom by vote of the city or town."

"Other debts may be incurred only by a vote of two thirds of all the members of each branch of the city council, taken by yeas and nays and approved by the mayor.

[Public Statutes, Section 6 and 7 Chapter 29.

THE BOUNDARIES OF TAUNTON.

Present
bounds.

The present bounds of Taunton according to the perambulations made every five years, as required by the public statutes and marked by permanent monuments, are as follows:

Perambulations.

Beginning at the southwest corner of the city at a corner of Rehoboth and in line of Dighton, thence N. $1\frac{3}{4}$ degrees W. seven hundred rods in line of Rehoboth to a corner in line of Norton at what is known as Abel's corner; thence in line of the town of Norton N. 54 degrees 20 minutes E. eight hundred seventy rods to a turn at the side of Three Mile river near the mouth of Burt's Brook; thence N. 45 degrees 38 minutes E. eight hundred seven rods to the centre of Winnecunnet bridge at turn; thence N. 43 degrees 31 minutes E. seven hundred twelve rods to the line of Easton; thence in line of Easton about S. 70 degrees E. about two hundred thirty rods to a corner of Raynham; thence by the line of Raynham S. 1 degree E. one hundred and ninety-two rods to a corner on the northwest side of Great Island; thence S. $30\frac{1}{2}$ degrees E. fifty-six rods; thence S. 46 degrees E. fifteen rods; thence S. $19\frac{1}{2}$ degrees E. sixty-four rods; thence due south forty rods; thence S. $17\frac{1}{2}$ degrees W. seventy-two rods; thence S. 32 degrees W. eighty rods; thence S. 16 degrees W. seventy rods; thence S. 11 degrees E. one hundred five rods; thence S. 9 degrees E. thirty-eight rods; thence S. $32\frac{1}{2}$ degrees W. one hundred nineteen rods; thence S. 26 degrees W. one hundred eight rods; thence S. 14 degrees W. fifty-two rods; thence S. 19 degrees W. thirty rods; thence S. 42 degrees W. seventy-four rods; thence S. $33\frac{3}{4}$ degrees W. thirty-five rods twenty links; thence S. 43 degrees W. twelve and one half rods; thence S. 55 degrees W. eleven rods; thence S. 76 degrees W. nine rods twenty links; thence S. 44 degrees W. sixteen rods; thence S. $13\frac{1}{2}$ degrees W. twelve and one-third rods; thence S. $9\frac{1}{2}$ degrees W. twenty-three and one-half rods to a corner in west side of Duck Pond; thence S. 24 degrees E. about nine hundred twenty-two rods to the middle of Taunton Great River near the water works; thence up stream by said river about five miles; thence S.

13 $\frac{1}{4}$ degrees E. about fifty-four rods to a corner; thence N. 87 $\frac{1}{4}$ degrees E. fifty-four rods to a corner; thence 18 $\frac{1}{2}$ degrees E. one hundred thirty-seven rods to a corner; thence N. 89 $\frac{1}{2}$ degrees E. thirty-five rods to a corner on the west side of Furnace Brook, formerly called Littleworth Brook; thence S. 11 degrees W. forty-three rods to a corner on the east bank of said brook; thence N. 78 degrees E. fifty-seven rods; thence N. 89 $\frac{1}{2}$ degrees E. forty-three rods to a turn near the burying-ground; thence N. 70 degrees E. eighteen rods; thence N. 78 degrees E. thirty rods to a corner near the residence of John Mann; thence N. 84 degrees E. one hundred ten rods to a corner by the Burnt Swamp three or four rods southeast of Richmond street; thence N. 33 degrees W. forty rods; thence N. 5 $\frac{1}{2}$ degrees E. twenty-seven and one-half rods to a turn on the south side of the road leading easterly from Robinson's Bridge; thence N. 12 $\frac{1}{4}$ degrees E. forty-two and one-half rods to a turn near a rock; thence N. 3 degrees W. sixty rods to a corner; thence N. 84 $\frac{1}{2}$ degrees W. about ninety-one rods to the middle of Taunton Great River; thence up stream by said river about two hundred thirty-one rods to the mouth of Trout or Poquoy Brook; thence in line of Middleborough up stream by said brook to the line of Lakeville; thence by the line of Lakeville S. 2 $\frac{1}{2}$ degrees E. about eleven thousand one hundred seventy-eight feet to a turn on the west of the "High Stone" road; thence S. 0 degrees 53 minutes W. five thousand six hundred seventy-nine feet to a corner near Baiting Brook; thence S. 54 $\frac{1}{2}$ degrees W. eleven hundred feet to a turn; thence S. 51 $\frac{3}{4}$ degrees W. three hundred twenty-seven feet to a turn; thence S. 58 degrees 25 minutes W. three hundred ninety-nine feet to a turn; thence S. 66 degrees 50 minutes W. five hundred feet to a turn near the Taunton and Lakeville Precinct Meeting House; thence S. 77 degrees 6 minutes W. nine hundred and twenty-one feet to a turn near Precinct street; thence S. 71 $\frac{1}{4}$ degrees W. seven hundred seven feet to a turn; thence S. 69 $\frac{1}{4}$ degrees W. three hundred thirty-two feet to a turn; thence S. 45 degrees 25 minutes W. seven hundred sixty-nine feet to a corner; thence crossing the road S. 43 $\frac{1}{4}$ degrees E. thirty-eight feet to a corner; thence S. 45 degrees 38 minutes W. one hundred twenty feet to a turn; thence S. 52 $\frac{1}{4}$ degrees W. three hundred sixteen and seven-twelfth feet to a turn; thence S. 60 $\frac{1}{2}$ degrees W. seven hundred four feet to a turn; thence S. 63 $\frac{1}{4}$ degrees W. two hundred twenty-seven feet to a turn; thence S. 69 degrees 25 minutes W. four hundred sixty-six feet to a turn; thence S. 63 $\frac{3}{4}$ degrees W. nine hundred seventy feet to a turn; thence S. 52 $\frac{3}{4}$ degrees W. one hundred eighty-six and one-half feet to a turn; thence S. 67 $\frac{1}{2}$ degrees W. one hundred thirty-one and one-half feet to a turn; thence S. 58 $\frac{1}{4}$ degrees W. eighteen hundred fifty-five feet to a turn; thence S. 55 $\frac{3}{4}$ degrees W. sixty-seven and one half feet to a turn: thence S. 56 $\frac{1}{4}$ degrees W. about two thousand three

hundred twenty-seven feet to the corner of Berkley; thence in line of Berkley N. 48 degrees W. six hundred rods to the old corner of Berkley; thence N. 45 degrees W. seven hundred sixty-four rods to a turn near a large flat rock; thence N. $31\frac{1}{2}$ degrees W. eighty-seven rods to a turn at Little Meadow Dam; thence N. 81 degrees W. two hundred seventy rods to a corner on the bank of Taunton Great River; thence to the centre of said river; thence down stream by said river to the mouth of Three Mile river; thence up stream by Three Mile River to a point in Mount Hope Factory Pond; thence in line of town of Dighton N. about $67\frac{1}{2}$ degrees W. about nine hundred forty-five rods to point of beginning.

These limits have been greatly reduced from the earlier boundaries by the incorporation of Norton, Dighton, Easton and Raynham, which were organized from certain portions of the original territory of Taunton, and the purchases subsequently made in addition thereto.

Original
bounds.

Location of
the corners of
the "Oblong."

The original bounds of the ancient town named Taunton, but first bearing the name of "Cohannet," as laid out June 19, 1640, were in the form of a rhombus, called "the oblong" or "long square," the sides of which were roughly estimated eight miles in length. The corners of this "oblong" were the present southwest corner of Taunton adjoining Dighton and Rehoboth, the southwest corner of Raynham adjoining Bridgewater and West Bridgewater, the corner formed by the extension from the first corner north by west and from the second corner west by north in line of the present town boundaries to a point now in Mansfield, known as "Cobblers' Corners." The southeasterly corner was near the present corner, made by the boundaries of Lakeville, Freetown and Berkley, on the line of the ancient Indian trail (Myrick street) to Assonet.

Report.

The report of Miles Standish and John Brown, a committee appointed to define these boundaries, is thus recorded.

"The limits and bounds of the plantacon of the towne of Taunton als Cohannet, wthin the goument of Plymouth, bounded and ranged for length and breadth, by order of Court, by Miles Standish & John Browne, gentlem, assistants in the goument, the xixth day of June, ano Dm 1640, in the xvijth yeare of our souaine lord, Charles, &c., as followeth, viza:—

Impris from two marked trees nere vnto Asonet, a neck of land being betweene Asonet and them, lying southerly, and from the said marked trees ranging east and by south foure miles, ranging also from the extent of the said foure miles north and by west; also from two markt trees neere the Three mile riuer, lying southerly of Taunton, the rang to runn foure miles west & by north; and from the extent of this last menconed foure miles, the rang to runn north and by west eight miles; moreou, from the extent of this eight miles range, then the range to runn on the east and by south line, to meete wth the former expressed north and by west lyne vpon a long square; alwayes puided, that if these ranges do not take in a place called Schadingmore Meddowes, the said Schadingmore Meddowes to be included as belonging to the aforesaid towne of Taunton, with one thousand acres of vpland neere and adjacent unto the

said meddowes; provided likewise, that these lines do not entitle the said towne of Taunton to intermeddle wthin two miles of Teightaquid.

MILES STANDISH,
JOHN BROWN."

2 Ply. Col. Rec. p. 99-100.

The township was further enlarged southerly and easterly to the present easterly bounds of Raynham in small sections, and in 1668 by what is known as the Taunton North Purchase, and still further in 1672 by what is known as the Taunton South Purchase, to which was added subsequently by conquest from the Indians the lands toward Assonet Neck. This large territorial domain continued until 1711, the northernly precinct was incorporated under the following act:

Enlargement
toward Digh-
ton and
Assonet.

Set-off of
"Norton."

An Act For Raising A New Town, By The Name Of Norton, Within The County Of Bristol.

Whereas the tract of land commonly called and known by the name of the North Purchase, lying situate within the township of Taunton, in the County of Bristol, circumscribed within the lines and boundaries prescribed by a committee sometime since appointed by the general assembly, as follows: vizt., beginning at the line between the two late colonies of the Massachusetts and Plymouth, in the line of the said North Purchase and Attleborough; from thence running southward to Rehoboth, northeast corner; and from thence eastward, on the North Purchase line, to Taunton bound; thence eastward to the mouth of the brooke called Burt's Brooke, and extending from the mouth of Burt's Brooke to the bridge over the Mill River, neer William Witherels; and from thence north-eastward to the North Purchase line; and from the North Purchase line, the road that leads from the said bridge towards Boston to be the bounds, till it come to the line betwixt the two late colonies aforesaid; which line to be the bounds to Attleborough aforesaid, was set off from Taunton, by and with the consent of that town, and, by an order of the general assembly, pass'd at their session in March, 1710, made a distinct and separate town from Taunton, containing a sufficient quantity of land and a competent number of inhabitants for that purpose, and named Norton, the full perfecting of the said grant being adjourned and referred to this present court; in pursuance, therefore, of the afore-recited order and grant, and for the compleating and perfecting of the same.—

(Passed June 12, 1711.)

And in 1712 the South Purchase was incorporated as a separate town, called Dighton, but its bounds were not defined until January, 1745, as appears by the following act:

Set-off of Digh-
ton.

An Act For Ascertaining The Bounds Of The Town Of Dighton, And For The Confirmation Of Their Powers And Privileges.

Be it enacted, etc.

(Sect. 1.) That the bounds of the said town of Dighton shall be as follows; vizt., beginning at a heap of stones by a rock near the waterside on the westerly side of Broad Cove, and from thence running westerly to a heap of stones near Bristol old path; and from thence westerly to a heap of stones near two miles from said Broad Cove, and then running northerly about two miles to a stump of an ash tree; thence west and by north, to Rehoboth ancient line, to a stake and stones about it, being the north corner of the town of Swanzey, and the southwest corner of the said town of Dighton; thence northerly on a straight line to a marked tree, commonly called the "Horseshoe"; thence easterly by marked trees down

to the Three-Mile River, so-called; then with said river to Taunton Great River; then down Taunton Great River till it comes to the bounds first mentioned, together with Assonett Neck, so far northerly as to come to the northerly bound of the land that was Mr. Edward Shove's; and that the lands included within the bounds aforesaid shall always hereafter be deemed a township by the name of Dighton as aforesaid, and that the inhabitants thereof be vested with the powers, privileges and immunities that the inhabitants of any of the towns within this province by law are or ought to be invested with, any law, order or custom to the contrary notwithstanding.

Passed January 8, 1744-45.

Set-off of
Raynham.

The ancient town was again reduced in its domain in 1731 by the organization of Raynham under the following act:

An Act For Dividing The Town Of Taunton, And Erecting A New Town There By The Name Of Raynham.

Be it therefore enacted by his Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,

(Sect. 1.) That the north-easterly part of Taunton, as hereafter bounded and described, be and hereby is set off and constituted a separate township, by the name of Raynham; the bounds of the said township to be as followeth; viz., on the east by the Bridgwater line; on the south by Taunton Great-River, including all the land of Lieutenant Ebenezer Robinson on the south-easterly or south side of sd river (except that peice of land by his saw-mill, near the furnace, which is in Middleborough precinct); thence down said river to the bounds between the land of Thomas Dean and Nathaniel Williams, at the place called Shallow Water; thence on a streight line to the east end of Prospect Hill, at the going over of the way: including within said new township all the land of Zephaniah Leonard, and that which was formerly Capt. James Leonard's, which joyneth to and is on the west side of said line,—which is to pay his proportion of all publick charges to said new township,—and excluding the land of Nathaniel Williams, join-to and on the east side of said line,—which is to pay his proportion of publick charges to the town of Taunton; thence to run northerly by said way to the great cedar swamp at the going in of the great-island way; thence to cross said island, and run streight to Easton line, at the nearest place; thence to run easterly by sd Easton line, until it comes to Bridgwater line, first mentioned:

Passed April 2, 1731.

Set-off of Berk-
ley.

And again in 1735 by the incorporation of Berkley by the following act:

An Act For Dividing The Towns Of Taunton And Dighton, And Erecting A New Town There By The Name Of Berkley.

Be it therefore enacted etc.

(Sect. 1.) That the southerly part of Taunton, and the northerly part of Dighton, on the east side of the Great River, as hereafter bounded and described, be and hereby are sett off, constituted and erected into a separate and distinct township, by the name of Berkley.

(Sect. 2.) The bounds of the said township being as follows; vizt., beginning at the Great River at a forked white-oak tree, at the landing-place between the land of Abraham Tisdal and Micah Pratt, and from thence, to extend on a streight line to a damm, known by the name of Little Meadow Dam; from thence to a rock with an heap of stones on it, in the said Little Meadow; from thence to extend on a streight line, until it intersects the line of the precinct, which includes part of Taunton and part of Middleborough, opposite to the dwelling-house of John Williams; from thence, to extend on said precinct line to the maple tree, which is

the corner bounds of Middleborough, Freetown, Dighton and Taunton ; and from thence, bounded by Freetown, till it comes to a little knap or hillock of upland, being the bounds between Dighton, Freetown and Assonet Neck ; and then bounded by the land of Mr. Edward Shove, till it comes to Taunton River, and then bounded by said river, till it comes to the first mentioned bounds.

(Sect. 3.) And that the inhabitants thereof be and hereby are vested and endowed with equal powers, privileges and immunities that the inhabitants of any of the other towns within this province are, or by law ought to be vested with.

(Sect. 4.) It is to be understood that John Spurr, Nicholas Stevens, John Tisdale, Abraham Tisdale, Israel Tisdale and Ebenezer Pitts, and their families and estates, are not to be included in said township, and are to belong to the towns of Taunton and Dighton, as formerly.

Passed April 18, 1735.

The easterly portion of Norton was organized as a separate town by the name of Easton, Dec. 21, 1725.

Organisation
of Easton.

The new boundaries thus established by these excisions from the original domain remained substantially unchanged until 1879, when a portion known as Myricks was set off to Berkley by the following act ;

An Act to Set off a Part of the City of Taunton to the Town of Berkley.

Annexation of
Myricks to
Berkley.

Be it enacted, etc., as follows :

Section 1. All that part of the city of Taunton, with the inhabitants and estates therein, lying southerly of the following line, to wit :—Beginning at the easterly corner of the town of Berkley, thence running south forty-eight degrees east to a stake in the line of the town of Lakeville for a corner, is hereby set off from the city of Taunton and annexed to the town of Berkley.

Approved April 1, 1879.

Which leaves the present boundaries of Taunton according to the perambulations first described.

CITY OFFICERS.

WHEN AND HOW ELECTED OR APPOINTED.

Assessors.—Elected in January by concurrent vote of the city council for three years, one each year.

City Clerk.—Elected in January by the city council in joint convention.

City Treasurer and Collector of Taxes.—Elected in January by the city council in joint convention.

Chief of Police and Deputies.—Appointed by the mayor and aldermen.

City Physician.—Appointed by the mayor and aldermen for three years.

City Messenger.—Elected in January by the city council in joint convention.

Constables.—Appointed by the mayor and aldermen.

City Solicitor.—Elected in January by the city council in joint convention.

Chief Engineer of the Fire Department.—Elected by the city council in joint convention for four years.

Assistants in the Fire Department.—Elected by the city council in joint convention, in January.

Commissioners of Sinking Funds.—One elected in January of each year by concurrent vote of the city council, for three years.

City Weighers.—Appointed by the mayor and aldermen.

Fence Viewers, Pound Keepers and Field Drivers.—Elected by the city council in joint convention.

Fish Wardens.—Elected by the mayor and aldermen.

Board of Health.—One appointed in January of each year by the mayor and aldermen, for two years.

Board of Overseers of the Poor.—One elected each year in January, for three years, by the concurrent vote of the city council.

Election Officers (Wardens, Clerks and Inspectors).—Appointed in September of each year, by the mayor and aldermen.

Inspector of Milk.—Appointed by the mayor and aldermen.

Inspector of Petroleum.—Appointed by the mayor and aldermen.

Inspector of Provisions.—

Mayor, Aldermen, Common Councilmen.—Elected annually by the voters on the Tuesday after the first Monday in December.

Police.—Appointed by the mayor and aldermen.

Registrars of Voters.—Appointed in March or April for three years.

Superintendent of Streets.—Elected in January by the city council in joint convention.

Superintendent of Schools.—Elected in June by the school committee.

Superintendent of Fire Alarm Telegraph.—Elected for four years, in January, by concurrent vote of the city council.

Superintendent of Cemeteries and Burial Grounds.—Elected by the city council in joint convention.

Sealer of Weights and Measures.—Appointed by the mayor and aldermen in March or April.

School Committee.—Elected by the voters on the Tuesday after the first Monday in December, for three years.

Trustees of the Public Library.—Elected by the city council in convention, for three years; two each year.

Truant Officers.—Appointed by the school committee.

Water Commissioners.—One elected for three years, in January of each year, by the city council in convention.

Clerk of the Water Commissioners.—Elected annually by said commissioners.

Wood Measurers and Surveyors of Lumber.—Elected by the city council in convention.

HISTORICAL
LIST OF
SELECTMEN, TOWN CLERKS AND TREASURERS,
AND OF MEMBERS OF THE
CITY COUNCIL OF TAUNTON
SINCE THE ADOPTION OF THE CITY CHARTER
JUNE 6, 1864.

TOWN CLERKS.

FROM THE YEAR 1645 TO 1865.

PARKER, WILLIAM	. . . . .	in 1645 and probably earlier
PURCHIS, OLIVER	. . . . .	1654 to 1664-65
WILBORE, SHADRACH	. . . . .	1665 to 1702
LEONARD, THOMAS	. . . . .	1702 to 1708
WILBORE, JOHN	. . . . .	1708 to 1725
WILBORE, BENJAMIN	. . . . .	1725 to 1740
WILLIAMS, JAMES, SR.,	. . . . .	1740 to 1775
WILLIAMS, JAMES, JR.,	. . . . .	1775 to 1821
WILLIAMS, ALFRED	. . . . .	1821 to 1835
ANTHONY, EDMUND	. . . . .	1835 to 1845
MONROE, FRANCIS S.	. . . . .	1845
ELLIS, JAMES P.	. . . . .	1846 to 1855
BREWSTER, WILLIAM	. . . . .	1855 to 1858
PORTER, HENRY C.	. . . . .	1858 to Sept. 1862
CUSHMAN, JAMES M.	. . . . .	1862 to 1865

The term of office of the earlier town clerks are in some cases only approximate. The act creating the office of town clerk was not passed until 1846, previous to this date we find certain persons styled, in old documents relating to town affairs, as keeper of the records.

TOWN TREASURERS.

FROM THE YEAR 1757 TO 1865.

WHITE, SAMUEL	. . . . .	1757
WILLIAMS, BENJAMIN	. . . . .	1764 to 1772, 1774
GODFREY, GEORGE	. . . . .	1775
CROCKER, SAMUEL	. . . . .	1805 to 1822
SEAYER, JOHN	. . . . .	1822 to 1825
REED, WILLIAM	. . . . .	1825
HODGES, JAMES L.	. . . . .	1826
BAYLIES, JOHN	. . . . .	1827 to 1834
WOODWARD, CALVIN	. . . . .	1834 to 1838
ANTHONY, EDMUND	. . . . .	1838 to 1844
WHITE, LEMUEL L.	. . . . .	1844 to 1847
PORTER, CHARLES	. . . . .	1847 to 1853
ELLIS, JAMES P.	. . . . .	1853 and 1854
ATWOOD, GEORGE B.	. . . . .	1855 and 1856
WILBAR, JOSEPH E.	. . . . .	1857
TINKHAM, SAMUEL M.	. . . . .	1858
BREWSTER, PHILIP T.	. . . . .	1859 to 1863
WASHBURN, GEORGE A.	. . . . .	1863 and 1864

TOWN OFFICERS.

CITY TREASURER AND COLLECTOR.

WASHBURN, GEORGE A.	.	.	.	.	.	1865 to Dec. 1891
TEMPLE, EDWARD H.	.	.	.	.	.	Dec. 1891 to

CITY CLERKS.

CUSHMAN, JAMES M.	.	.	.	.	.	.	1865 to 1886
TETLOW, EDWIN A.	.	.	.	.	.	.	1886 to

SELECTMEN OF TAUNTON.

FROM 1645 TO 1865.

Andrews, Henry	1645 to 1649	Gilbert, Thomas	1648, '51, '96, '99, 1702, '08, '07 to '13, '15, '18
Andrews, John	1726, '28, to '31, '84, '35	Godfrey, Richard, Jr.,	1755, '60 to '66, '68, '70, '73 to '77
Anthony, Edmund	1803 to '09	Godfrey, Richard	1728, '40
Barney, Elisha	1773 to '76	Godfrey, George	1788 to '91
Briggs, Nathaniel	1779, '80	Godfrey, John	1805 to '12
Barney, Jacob	1801 to '04		
Brewer, Daniel, Jr.,	1811, '12	Hall, George	1645, '56, '57, '66 to '69
Bassett, David	1845	Harvey, William	1666 to '70, 72 to '83, '85 to 91
Briggs, Abram	1864	Hathaway, John	1681 to '84
Babbitt, Ziba	1855	Hall, Lieut. John	1684 to '86, '91, '92
Blake, Samuel	1755	Hodges, Henry	1687 to 1701, '03 to [<i>Three persons</i> '05, '07 to '09, '11 <i>of this name.</i>] to '16, '31 to '35, '37 to '39, '55, '62, '63, '68, '70
Case, Edward	1645, '47, '48	Harvey, Thomas	1696, '98 to 1720
Crossman, Robert	1710, '13, '14	Hart, James	1792 to '96
Cobb, Morgin, Jr.,	1721, '22, '24	Hix, Gideon	1798, '99
Cobb, Morgan 2nd	1736, '40	Haskins, William	1844
Cobb, Richard	1768, '70	Hall, Andrew H.	1846 to '51
Cobb, Ebenezer	1773 to '75	Ingalls, Jonathan, Jr.,	1797 to 1800
Canady, Noble	1845	Jones, Abraham	1710, '20 to '23
Crocker, Samuel L.	1846 to '49	King, Philip	1695, '96, '98
Carrier, Isaac G.	1856 to '63	King, John	1721, '22, '24, '27
Dean, John	1657	Keith, Edwin	1851, to '54
Deane, Walter	1645, '47 to '50; '51, '56, '66 to '69, '71 to '86	Leonard, Thomas	1680 to '86 '89 to '92
Dean, Thomas	1693, '94, '97	Leonard, Thomas, Jr.,	1707 to '09, '43
Dean, Ezra	1702	Leonard, James	1689 to '95, '97, '98, 1703, '05, '06, '08 to '10
Dean, John	1719, '20, '23	[<i>Three persons</i>	'17, '20 to 23, 36, <i>of this name</i>]
Dean, Israel	1726, '31, '33, '38, '39		'43, '65, '66, '88 to '91
Dean, Ebenezer	1760, '61, '80, '88 to '96	Leonard, Samuel	1721 to '24
Dean, Benjamin, Jr.,	1772 to '75		
Dean, Solomon	1779		
Dean, Noah	1780		
Dean, Joseph	1797 to 1804		
Dean, Philip	1811 to '23		
Dean, Robert	1813		
Dean, Joseph, Jr.,	1824 to '28		
Dennis, John P.	1829 to '31		

TOWN OFFICERS.

Leonard, Ichabod.....1773 to '76	Smith, Job.....1789 to '92
'93 to '95	Staples, Samuel, Jr....1813 to '21
Leonard, Ichabod, Jr...1814 to '25	Sumner, Seth... ..1814
Lincoln, Elijah.....1777, '79	Seaver, William....1825 to '34, '45
Leonard, Apollos....1777, '79, '80	to 49
Lincoln, Rufus.....1792 to '96	Short, Luther L.....1838 to '40
Leonard, Nathaniel..1796 to 1800	
'05 to '11	Tisdall, John, Sr....1650, '58, '72
Lincoln, Gen. Thomas..1812 to '21	to '75
Lincoln, Ichabod.....1826 to '31	Thrasher, Israel.....1695, 1706
Macey, Lieut. George....1648, '50,	Talbut, Jared.....1706
'58, '70, '72 to '86	Tisdale, Israel....1755 to '60, '62
Mason, John....1718, '19, '23, '26,	to '65
'27, '29 to '31, '33, '34	Thayer, William.....1772
Merick, Isaac.....1728	Tisdale, James.....1793 to '97
Macomber, Josiah...1762, '63, '65	Tisdale, Joseph.....1797 to 1800
Macomber, Abiel.....1801, '02	Tubbs, Isaac.....1800 to '02
Morse, Elias A.,...1850, '52 to '57	Tillinghast, Nicholas..1801 '02, '04
Macomber, William F....1852 to	Williams, Richard....1645, '47 to
'54	'52, '56, '66 to '69, '71 to '77
Olney, Otis....1645	Wyatt, Left. James....1648 to '52,
Pole, Capt. William....1656, '57	'56, '57
Parker, William .1645, '49, '50, '51,	Williams, Abiathar...1815 to '24
'57, '58	Wilbur, Joseph....1832 to '44
Purchis, Oliver.....1647 to 1652	Walker, George, Jr....1832 to '47
Pratt, Samuel.....1724	White, Stephen L....1835 to '43,
Pitts, Samuel.....1726, '29 to 31,	'58, '59
'33, '38, '39	White, Cornelius.....1860 to '64
Padelford, Seth.....1792	Williams, James M.....1851
Paulf, Jeremiah.....1810	Williams, Nathan S.....1864
Presbrey, Allen ..1841 to '43, '55	Williams, Thomas....1695 to '97,
to '64	'99 to 1705
Presbrey, Charles.....1844	Willis, Joseph.....1702
Richmond, John.....1670	Wetherell, John.....1704
Reed, John.....1722, 1804 to '09	White, Nicholas.....1704, '13 to
	'15, '17
Strong, John.....1645, '47	Williams, John.....1718
Smith, Samuel.....1676 to '79	Williams, Seth.....1720, '27, '40
Smith, John...1694, '96, '99, 1702,	Wilbore, Benjamin...1727, '29, '30
'12, '14, '15, '17, '18	Walker, James.....1649, '50, '51

The term of office of some of the earlier selectmen is only approximate, and the names of many are unknown.

MAYORS OF TAUNTON.

	For the Years
ALGER, ARTHUR M.	1890
BABBITT, FRANCIS S.	1891, 1892
BABBITT, GEORGE H.	1874, 1875, 1876
BENNETT, EDMUND H.	1865, 1866, 1867
CUSHMAN, HORATIO L.	1883
FOX, WILLIAM H.	1873
GODFREY, EVERETT D.	1887
HANSON, CHARLES F.	1884, 1885
HALL, RICHARD HENRY.	1886, 1888, 1889
JOHNSON, CHARLES F.	1880, 1881, 1882
MITCHELL, DANIEL L.	1870, 1871, 1872
PAIGE, ONIAS S.	1877, 1878, 1879
RHODES, STEPHEN H.	1868, 1869

ALDERMEN.

	For the Years
ALGER, ARTHUR M.	1884
ALLEN, WILBUR F.	1876
ANTHONY, CHARLES S.	1888, 1889
ANTHONY, JAMES Y.	1881
ATWOOD, CHARLES H.	1873, 1874
ATWOOD, HENRY D.	1882
BAKER, WILLIAM S.	1880, 1881
BARKER, ANSON J.	1865, 1866
BABBITT, FRANCIS S.	1887
BARROWS, GEORGE W.	1883
BENT, WILLIAM H.	1877, 1878
BLISS, ASAPH L.	1876
BOSWORTH, BENJAMIN S.	1880, 1881, 1882, 1883
BOSWORTH, FREDERICK L.	1873, 1874
BOSWORTH, JAMES H.	1884
BURT, JACOB.	1869
CAREY, DANIEL.	1885, 1886
CHACE, JOHN B.	1866, 1867
CHAMPLIN, ALEXANDER H.	1869
CHURCH, LeBARON B.	1865, 1866, 1867, 1868, 1873, 1874
CHURCH, JOHN H.	1870
CLARK, ALBERT M.	1890, 1891, 1892
COLBY, HENRY W.	1886, 1887
CODDING, JAMES H.	1873
CROSSMAN, NATHANIEL J.	1885, 1886
CORR, PETER H.	1888
CROSSMAN, EDGAR L.	1891, 1892
CULVER, HENRY S.	1879, 1882, 1890
CUSHMAN, HORATIO L.	1877, 1878
DAVOL, ALBERT D.	1872, 1883

DEAN, CHARLES E.....	1877
DEAN, N. BRADFORD.....	1876
EDDY, JOHN H.....	1874
ELDRIDGE, JOHN H.....	1887, 1888
ELMES, GEORGE N.....	1889
EVANS, JAMES M.....	1871
FALVEY, THOMAS O.....	1877, 1878, 1880
FISH, FRANK L.....	1883, 1891
FULLER, HENRY J.....	1872
GAFFNEY, WILLIAM H.....	1892
GODFREY, EVERETT D.....	1884, 1885
HART, JOHN W.....	1875, 1876
HARRIS, HENRY S.....	1875
HARVEY, RUEL.....	1875
HARVEY, GEORGE B.....	1884, 1885
HATHAWAY, JOSEPH W.....	1880, 1881
HIGGINS, LEONARD B.....	1885, 1886, 1887, 1888
HODGMAN, WILLIS K.....	1891, 1892
HOLLAND, JOHN.....	1873
HOYE, MICHAEL J.....	1881, 1882, 1883
HOYE, THOMAS F.....	1891, 1892
HUSBAND, CHARLES.....	1874
JOHNSON, CHARLES F.....	1878, 1879
JOHNSON, CHARLES L.....	1891, 1892
KING, JAHAZIAH S. JR.....	1871, 1872
KING, SILAS S.....	1866, 1867, 1868, 1869, 1870
LANE, SAMUEL.....	1882
LEONARD, NATHANIEL B.....	1867
LINCOLN, G. ARTHUR.....	1888, 1889, 1890, 1891
LINCOLN, MARTIN J.....	1880, 1881, 1882
LOVERING, CHARLES L.....	1865, 1866, 1869, 1870, 1871
LOVERING, HENRY M.....	1872
LOVERING, WILLIAM M.....	1890
MACDONALD, JOHN C.....	1880
MCAUSLAND, WILLIAM.....	1889
MITCHELL, DANIEL L.....	1868, 1869
MORRIS, BENJAMIN.....	1884, 1885, 1886, 1887, 1889, 1890
MURPHY, JOSEPH.....	1870, 1871, 1873, 1874, 1879
MURPHY, WILLIAM B.....	1876
NELSON, MOSES.....	1879
NEWBURY, THOMPSON.....	1865, 1866, 1867, 1868, 1869
O'HEARNE, JOHN, JR.....	1886, 1887, 1888
PAIGE, ONIAS S.....	1875
PARKER, ABEL W.....	1875, 1876
PAULL, ALFRED.....	1873, 1875, 1876
PERRIN, PARLEY I.....	1867, 1868, 1869, 1870, 1871, 1872
PIERCE, STEPHEN.....	1871
PRATT, FRANKLIN.....	1877, 1878
RAND, NATHAN.....	1865
REED, EDGAR H.....	1865, 1866
RHODES, STEPHEN H.....	1867
RICHMOND, CHARLES E.....	1879
RICHMOND, CHARLES R.....	1877
SEAVER, GEORGE F.....	1871, 1872
SHORT, HENRY A.....	1891, 1892
SHORT, LEONARD L.....	1870
SMITH, PARAN F.....	1868
SOULE, LEANDER.....	1868
SPRAGUE, WALTER S.....	1879, 1880, 1881, 1882, 1883
STALL, ALFRED V.....	1887, 1888
STAPLES, ABIEL B.....	1886
SWAN, WILLIAM W.....	1872
TEMPLE, EDWARD H.....	1889, 1890

THORNTON, CHARLES.....	1886
THOMAS, JOHN L.....	1892
TIDD, JOSEPH S.....	1883, 1884
TINKHAM, WILLIAM.....	1869, 1870, 1871
TOLMAN, ELIJAH.....	1878, 1881
WALKER, GEORGE G.....	1866, 1867, 1868
WALKER, JAMES G.....	1873, 1874
WALKER, WILLIAM L.....	1875, 1876
WASHBURN, OTIS.....	1879
WILBUR, GEORGE.....	1881, 1885
WILLARD, A. LYMAN.....	1877, 1878, 1879, 1882
WHITE, CORNELIUS.....	1865
WILLIAMS, ALEXANDER H.....	1884, 1885
WILLIAMS, A. GILBERT.....	1889, 1890
WILLIAMS, ARTHUR K.....	1887, 1888, 1889, 1890
WILLIAMS, NATHAN S.....	1865, 1875, 1880
WOOD, CORNELIUS.....	1877, 1878, 1883
WOODWARD, EZRA P.....	1872
WOODWARD, GEORGE M.....	1870
WOODWARD, JAMES A. B.....	1874

COMMON COUNCILMEN.

Albro, James D.....	1865, '66
Allen, Wilbur F.....	1875
Anthony, Charles S.....	1885, '86, '87
Anthony, James Y.....	1879, '80
Austin, Frederick E.....	1889, '90
Austin, William W.....	1891
Alden, John C.....	1890, '91
Abbott, John A.....	1890
Atwood, Charles H.....	1872
Baker, Benjamin H.....	1867
Baker, Charles F.....	1881, '82
Baker, Thomas.....	1890
Baker, Timothy C.....	1874, '75, '76, '81
Baker, William H.....	1870, '71
Baker, William S.....	1876, '77, '78, '79
Babbitt, David D.....	1886, '87
Barker, John J.....	1877, '78, '79
Barker, Owen.....	1883
Barrows, George W.....	1881, '82
Bassett, Eustus C.....	1880
Bassett, James T.....	1872, '73, '74
Bearse, Thomas R.....	1868, '69, '78, '79
Blake, Alden H.....	1888, '89
Bliss, Asaph L.....	1875
Bliss, Shubael P.....	1875
Bliss, Zenas F.....	1866
Bosworth, Benjamin S.....	1874
Bosworth, James H.....	1882, '83
Bowen, William C.....	1883, '84
Boylan, John N.....	1887
Brammer, George F.....	1891
Brady, Connor.....	1868
Briggs, Artemas.....	1865
Brown, Frederick V.....	1888, '89
Brown, John E.....	1873, '74, '75, '76
Brown, William H.....	1867
Burbank, Henry J.....	1873, '74
Carey, Daniel.....	1880, '81, '82, '83, '84
Carter, John T.....	1865
Champlin, Alexander H.....	1867
Chace, John C.....	1880
Chace, Frank K.....	1883, '84, '85, '86
Chase, Timothy C.....	1866, '87, '88
Church, John H.....	1867
Church, William B.....	1878
Claffey, James T.....	1885
Clark, Albert M.....	1886, '87, '89
Clark, Nathan.....	1865, '66
Cleary, James H.....	1887
Cobb, Ebenezer.....	1876
Conaty, Patrick.....	1876, '77
Coney, James F.....	1882, '83
Conaty, Francis P.....	1878
Congdon, George A.....	1881
Coombs, Joseph E.....	1891, '92
Corr, Peter H.....	1883, '84, '85
Cottrell, Thomas B.....	1883
Colby, Henry W.....	1883, '84, '85, '90, '91, '92
Cowing, William M.....	1869
Crane, George A.....	1870, '71
Crapo, Henry G.....	1890
Crapo, Nicholas N.....	1871
Crossman, Edgar L.....	1884, '85, '90

Crossman, Job B.	1871, '72	Hall, Horace M.	1868
Crossman, Nathaniel J.	1882, '83, '84	Hall, Richard Henry.	1872
Culver, Henry S.	1875, '77, '78	Hall, Theodore P.	1879
Cushman, David B.	1872	Hall, Herbert E.	1892
Cushman, Horatio L.	1876	Hanrahan, James.	1869
Cushman, William H.	1877	Harvey, Ruel.	1865, '66, '67
Dary, Edwin A.	1890, '91, '92	Haskins, Julius C.	1868, '69
Dary, Marcus A.	1888, '89, '92	Haskins, Uriah M.	1885, '86
Davenport, William R.	1866, '67, '68, '69, '70	Haskins, Edwin.	1877
Davol, Albert D.	1869, '70	Harris, Henry S.	1873, '74
Dean, Charles E.	1875	Hart, John W.	1865, '70, '71
Dean, Ebenezer A.	1890, '91, '92	Hart, Chester S.	1891, '92
Dean, George E.	1891, '92	Hathaway, Frederick.	1865, '74, '75
Dean, James H.	1867, '68, '69, '72, '73, '74, '75, '81, '86, '87	Hathaway, Joseph W.	1865, '69, '79
Dean, Silas.	1869	Hathaway, William B.	1891, '92
Dean, William E.	1876, '77	Hathaway, Benjamin B.	1871
Dexter, Joseph R.	1891, '92	Hills, Edwin M.	1883, '84
Dunbar, Frederick S.	1892	Healey, Michael.	1885, '86, '87
Dunbar, Joseph.	1881	Hodgman, Willis K.	1889, '90
Dunlap, John F.	1878	Holland, John.	1872
Eaton, Osborne E.	1884	Hodges, Zephaniah.	1875
Eddy, Forace M.	1890	Holloway, George H.	1870, '71
Eddy, Saul W.	1874	Holt, E. Clarence.	1887, '88, '89
Eldridge, John H.	1885, '86	Holt, Noah H.	1885
Ellam, George.	1887, '88, '89	Hoye, Michael J.	1880
Emery, Francis W. R.	1891, '92	Hoye, Thomas F.	1887, '88, '89, '90
Evans, James M.	1870	Hunt, James.	1878
Fairbanks, Crawford M.	1871	Hunt, Joseph S.	1886
Falvey, Thomas O.	1875	Husband, Charles.	1868
Fay, Edward A.	1888, '89	Jackson, Elisha T.	1877
Field, Herbert H.	1891	Johnson, Charles L.	1885, '86, '87, '88, '89
Field, John.	1880	Johnson, David.	1889
Fisher, A. Allen.	1885, '86	Kehoe, John.	1884, '85, '86
Fisher, Gustavus T.	1886, '87, '88, '89, '90	Keith, Edwin.	1865, '66, '67, '78
Finn, John C.	1888, '89, '90	Kennedy, William F.	1878, '79, '80, '81, '82
Fitzgerald, Edward F.	1890, '91, '92	Kiernan, Bernard E.	1880
Francis, Laurens N.	1879, '80	King, Earl.	1886
Frasier, Philip A.	1868, 1869	King, Charles I.	1887, '88
Franks, John T.	1889, '90, '91, '92	King, George P.	1875, '76, '78
Fuller, Henry J.	1869, '70, '71	Kinnicut, Josiah.	1877, '78, '79, '80
Foster, Charles.	1865, '66, '68, '69, '81, '82, '83	Knapp, Arthur B.	1881
Gaffney, John P.	1891	Lawrence, Nathan.	1868
Gaffney, William H.	1890	Lawton, William C.	1879
Gallagher, Charles.	1870	Lane, Gamaliel.	1880, '81, '82
Galligan, Edward.	1868, 1869	Leach, Arunah A.	1884, '85
Galligan, James, J.	1877	Leach, Henry B.	1878
Galligan, James P.	1873, '74, '75	Leach, Thomas.	1875
Galligan, John H.	1876	Lemaire, Noah.	1889
Galligan, Owen.	1874, '79	Leddy, Andrew.	1874
Godfrey, Charles L.	1890, '91, '92	Leach, Isaac W.	1869
Godfrey, Everett D.	1875, '76, '78, '79, '80	Leonard, Nathaniel B.	1865
Godfrey, Horatio.	1881, '82, '83, '84	Leonard, Manlius B.	1873
Godfrey, Job M.	1865	Lewis, Horace.	1871, '72
Geogan, John.	1884, '85, '86	Lincoln, Charles H.	1881
Greenwood, Francis X.	1892	Lincoln, G. Arthur.	1886, '87
Gulliver, Calvin N.	1887, '88	Lincoln, G. Everett.	1872
Hall, Andrew H.	1866, '67	Lincoln, J. Mordecai.	1881
		Lincoln, James H.	1887, '88, '89
		Lincoln, Martin J.	1879
		Lincoln, John W.	1880, '81, '82
		Lincoln, Palmer.	1870

Lovering, Henry M. . . 1868, '69, '70
 Macomber, Arthur W. . . 1877, '78
 Macomber, Joseph L. . . 1867, '68
 Macomber, Charles H. 1872, '73, '74
 *Mason, Charles E. 1889
 Mason, Charles R. . . 1880, '81, '82
 Mason, Frederick. . . 1876, '77, '78,
 '79, '80, '81
 Mason, Nathaniel S. . . 1865, '66
 Maltby, Edward B. 1878
 Marley, Thomas C. 1882
 McCarthy, John M. . . . 1887, '88
 McCarthy, James. 1878, '75
 McCormick, Thomas E. . . . 1881
 Macdonald, John A. . . 1881, '88, '89,
 '90
 McDuffie, Charles D. 1869
 McAusland, William. 1888
 McDonald, John C. . . 1870, '71, '76
 Mehegan, Dennis J. . . . 1871, '72
 Merrill, Hezekiah L. 1880
 Messinger, J. Alfred. . . 1889, '90 '91
 '92
 Monroe, Charles A. 1881, '82
 Monroe, Charles E. 1870, '71
 Monroe, Francis S. 1872
 Miller, Samuel. 1868
 Morris, Benjamin. . . . 1880, '81 '82,
 '83
 Moore, Millard F. 1878
 Morse, Erastus. 1870, '72
 Morse, Jason. 1873, '74, '75
 Murphy, John. 1881
 Murphy, William B. . . 1866, '67, '73,
 '74, '75
 Noyes, George K. 1883, '84
 Nelson, Moses. 1867, '68
 O'Connor, John J. 1876, '77
 O'Hearne, John. 1882
 O'Hearne, John Jr. 1883, '84
 Padelford, David. 1879
 Paige, Nomus. 1869
 Paige, Onias S. 1872, '73, '74
 Padelford, Ebenezer. 1866
 Parker, Abel W. 1872
 Paull, Albert M. 1891, '92
 Paull, Alfred. 1868
 Paull, Charles H. 1871
 Paull, Charles F. 1875
 Paull, Frank. 1879, '80
 Peck, Clarence A. 1887, '88
 Perkins, David D. 1870, '71
 Perry, James E. 1880, '81
 Pierce, Elkanah. 1867
 Pierce, Herbert N. . . 1888, '89, '90,
 '91, '92
 Pierce, Oliver A. 1872, '73
 Pierce, Perry E. 1877, '78, '79
 Pierce, Stephen. 1866, '70
 Pleadwell, William H. 1876
 Place Alfred C. 1879

Power John. 1876, '77
 Phillips, William H. 1866
 Pratt, Franklin. 1876
 Presbrey, Joseph L. 1866
 Presbrey, William B. 1866
 Paull, John. 1865
 Porter, Edmund W. . . 1866, '67, '68,
 '72, '73
 Pratt Horatio. 1865
 Pratt, Nehemiah B. . . . 1867, '68
 Presbrey, Billings T. . . . 1869, '70
 Quillen, William. 1882
 Quinn, John. 1878
 Radley, John. 1866, '67
 Rafferty, Matthew. 1892
 Rankin, William H. 1877
 Reed, Charles A. 1879
 Rhodes, George H. . . . 1877, '78, '79,
 '80, '81, '82, '83, '84, '85, '86
 Rhodes, Marcus M. 1866
 Rhodes, Stephen H. 1870
 Richmond, Charles E. . . 1873, '74, '75,
 '76, '77
 Robinson, John D. . . . 1886, '87, '88
 Robinson, Samuel W. . . . 1879, '80,
 '81, '82, '83, '84, '85
 Robinson, Winthrop A. . . 1879, '80,
 '82, '83, '89, '90
 Roach, Edward F. 1891, '92
 Rose, Maurice. 1891, '92
 Sanford, John E. . . . 1865 '66, '67, '68,
 '69, '70, '71, '72, '73, '77, '78
 Seaver, George F. 1870
 Simmons, Abram. 1877
 Soper, Lysander. 1871, '72
 Soule, Leander. 1867
 Southworth, Henry K. . . . 1866
 Short Leonard L. 1867, '68
 Short, Henry A. 1882, '89, '90
 Scott, Cysis T. 1887
 Sprague, Edgar R. . . . 1882, '83, '84
 Sprague, Walter S. 1877, '78
 Sprague, William G. . . 1866, '87, '88
 Sproat, James H. 1865
 Sproat, William B. 1871
 Stall, Alfred V. 1885, '86
 Staples Abiel B. 1877, '78
 Staples, Sylvanus N. . . 1867, '68, '69
 Stephens, Charles E. 1867
 Stephens, Charles H. . . . 1873, '74
 Stoddard, William. . . . 1884, '85, '86
 Stanley, Jonathan J. . . 1866, '67, '68
 Swan, William W. . . . 1869, '70, '71
 Tetlow, Edwin A. 1884, '85
 Thayer, Frederick. 1873, '74
 Thayer, Henry A. 1865
 Thayer, Otis A. 1882, '83
 Thayer, Peter C. 1868, '69, '76
 Thomas, John L. 1891
 Thornton, Charles. 1885
 Tidd, Joseph S. 1879, '80
 Tinkham, James A. . . . 1871, '72, '77
 Tinkham, William. 1878

*To fill vacancy.

CITY OFFICERS

Thomas, Nelson.	1877	Wilbur, George E.	1883
Tisdale, E. Dawes.	1865	Wilbur, J. W. L.	1865, '66, '76
Townsend, Ripley W.	1884, '85, '86, '87 '88, '89	Wilmarth, Learned J.	1866, '67
Townsend, Samuel R.	1873, '74, '75	Williams, A. Gilbert.	1882, '83, '84
Trefethen, Daniel A.	1884, '85	Williams, Elisha.	1865
Vaughn, Peter M.	1871, '72	Williams, George.	1866, '67, '68
Walker, Frederick A.	1888, '89	Williams, Asa.	1873
Walker, Benjamin L.	1873, '74	Williams, Alexander H.	1873, '74, '75, '76
Walker, James G.	1872	Williams, George.	1891, '92
Walker, William L.	1873, '74	Williams George F.	1887, '88
Wastcoat, David W.	1870	Williams, John A.	1869, '70
Walker, George G.	1865	Williams, John Tyler.	1872
Welch, John.	1876	Williams, Edward M.	1884, '85, '86
White, Harrison G. O.	1871	William, Philip.	1879, '80
White Charles P.	1875	Williams, Robert.	1871, '72
White, William L. Jr.	1869, '70	Willard, A. Lyman.	1876
White, Lloyd E.	1890	Wood Cornelius.	1876
Washburn, Otis.	1874, '75, '76	Wood William H.	1883
Washburn, George A.	1892	Woodward, Ezra P.	1865, '66, '71

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